

THE STORMS AT WBAI WENDY SCHWARTZ

THE NATION

NOVEMBER 16, 1974

50 cents

**WAKING FROM THE
AMERICAN DREAM**



**George
P. Elliott**

STILL ANOTHER COVER-UP

**The Amnesty
Shell Game**

Robert K. Musil

PRETRIAL PUBLICITY

**Juries & the
Mass Media**

Jon R. Waltz

NADEZHDA MANDELSTAM / 'HOPE ABANDONED'
Robert P. Hughes

EDITORIALS

Good Day at the Polls

The only surprise in the November 5th election in terms of national politics—some local contests were upsets—was the magnitude of the Democratic sweep, which in House and Senate seats and governorships was even larger than had been projected. What the vote reflected, as defeated Gov. Francis Sargent of Massachusetts succinctly noted, was resentment over Watergate and “the price of hamburger.” The first was evident in the resounding defeat of those members of the House Judiciary Committee who had most stubbornly defended Nixon: Sandman and Maraziti (N.J.), Mayne (Iowa), Dennis (Ind.). Resentment over mismanagement of the economy was a factor everywhere. The prevailing mood was one of anger, not apathy. The vote was light in areas where there was no serious uncertainty about statewide contests; for example, in Wisconsin the main question was whether Governor Lucey would win re-election by a larger margin than Sen. Gaylord Nelson. By and large, voters discriminated nicely between Republicans who had not broken with Nixon and those who had first kept their distance and then moved into active opposition.

It was an election without specific issues, although issues were a factor in particular contests, as, for example, ecology in Colorado. Watergate as such was not an issue: the resentment was universal. Inflation was a major concern, as was unemployment, but there was little discussion of specific measures. The President's surtax proposal was unpopular but did not figure prominently. Nor was foreign policy much debated. The President was, therefore, quite wrong when he said that the Democrats had been given a mandate. The expression of anger and disgust, however eloquent and emphatic, does not constitute a mandate. Negatively, the so-called “social issues”—marijuana, pornography, bussing, abortion, capital punishment—were in eclipse, although crime, particularly street crime, remains a chronic, if secondary, issue in some states, New York for one. What signs, then, can be read in the returns?

This was the election in which women emerged as a specific constituency with their own candidates. As one of them put it, in the past they have most often been assigned the “stickin’ and lickin’” role. Overall, there were 800 or more women candidates: three were nominees for governor, four for the Senate, forty-five for the House (by comparison with thirty-four in 1972). Ella Grasso's impressive gubernatorial victory in Connecticut will figure in the history books as a turning point in the emergence of women as a major constituency.

Also, the 94th Congress will be noticeably younger. Perhaps as many as one out of eight members will be freshmen. The average age in the House now is 51.1 years; in the Senate, 55.3 years. The estimated average age of challengers for the House was a shade beyond 40; for the Senate, 45.3 years. Those incumbents who decided not to seek re-election—there were fifty or more—were mostly in the older age categories. Hence there will be significant changes in both the membership and chairmanships of

committees in both houses. This was the year, too, for “loners,” “walkers,” unconventional types, and candidates of conscience such as Ramsey Clark. Toby Moffett in the 6th C.D. in Connecticut was the first of Nader's Raiders to be elected to office. David Boren, 33, Yale, Rhodes scholar, member of Common Cause, campaigned in Oklahoma by walking about the state carrying a broom—the state has been mired deep in corruption—and reporting all contributions of 25¢ or more. In the 10th C.D. in Illinois—one of the most conservative in the nation, which was cut and tailored to be even more conservative after the 1970 census—Abner Mikva won by a narrow margin. In the “Little Egypt” district of southern Illinois, Paul Simon won an equally remarkable victory. Mikva and Simon will play important roles in the new Congress.

The returns also indicate that the nation is moving closer to a truly national electorate in which regional variations are becoming less pronounced. For example, the Republican-Dixiecrat alliance won fewer victories in the 93rd Congress than it has in many years; it will win even fewer in the 94th. The number of non-Southern Democrats in the House is increasing, a trend which steadily erodes the power of the Dixiecrats; nearly every new Democrat elected to the House in recent years has been a moderate or liberal. The newer and younger Southern Democrats, black and white, have learned to put together a winning coalition: blacks, loyal Democrats, switch voters, independents and conservatives with a “Populist” bias. So the Southern strategy of Kevin Phillips, John Mitchell and Richard Nixon is one casualty of this election. Worth noting also is the fact that minorities have shown significant gains: in Hawaii, in the West and Southwest and elsewhere. The Rocky Mountain states, a seed-bed of conservatism for two decades, are showing a shift in attitude. The Spanish-speaking, gaining strength in some of these states, as in Texas, Arizona and California, are rapidly becoming a major constituency. Also migration from the West Coast and the East is changing the composition of some Rocky Mountain states; Colorado is today almost “Eastern” in outlook, the Vermont of the West, extremely sensitive to ecological issues. In general, power has shifted nationally and in both parties to the West. Democrats actively seeking the 1976 Presidential nomination include Senators Bentsen, Mondale and Jackson, and Representative Udall, all from west of the Mississippi.

As for the election's impact on the two major parties, the Democrats should be somewhat more “liberal,” the Republicans more “conservative,” continuing a long-term trend toward polarization. Liberal Republicans held on to their Senate seats but otherwise suffered serious setbacks, such as the defeat of Richard Lugar in Indiana and Houston Flournoy in California. Senator Javits won re-election, but the Javits phenomenon is a thing of the past. Senator Weicker may seek re-election in 1976 as an independent; Lindsay, Reid and Riegle shifted registration two years ago. Of course, sensible Republicans from coast to coast must realize by now that they have a “dud” in Gerald Ford, but they are probably stuck with him in 1976. However, the Republican Party is not kaput, if only because of the weaknesses inherent in the Democratic Party. In New York, Hugh Carey's victory was evidence that the old Democratic coalition could be reconstituted, at least

Cover Illustration: from *Quaint Cuts* by Joseph Crawhall (Dover)

for this election. Carey won 5 to 1 among Jewish voters, 5 to 2 among the Spanish-speaking, and 6 to 1 among blacks, who were not represented on the state ticket. He also did well with the ethnics, particularly Italians, Slavs and Irish, and labor backed him with remarkable unanimity. But the durability of this coalition is uncertain, for it was largely the product of special circumstances, principally resentment against Nixon and Rockefeller.

So, while significant new energies were released in this election—they always are in “landslides”—the returns are yet to be defined. A close analysis of the vote, almost on a district-by-district basis, is needed for a broad interpretation. The Democratic Congressional leadership is feeble. The party lacks an ideology and program. It is without a foreign policy. It is sharply divided: one-third center-to-conservative, one-third liberal, one-third neutral. In the wake of this election the upcoming Kansas City conference will be of major interest. Can the party seize and hold the initiative that has been thrust upon it? For two years the Democrats in Congress have sat back, done little, and gloated over the miseries of Nixon and the embarrassment of the Republicans. What the party needs is strong ideological pressure from the Left, of the type that conservatives exert in the GOP. The immediate question is clear: can the Democrats organize themselves, or will these new gains simply mean that the party will be even more diffuse, disorganized, divided and opportunistic than it has been in the session now drawing to a close? After all, it held workable majorities in both houses.

The Delada Connection

The voluminous FBI report on Vice President-designate Nelson Rockefeller, as well as the file on his taxes compiled by the Joint Committee on Internal Revenue, are now being studied by the Senate Rules Committee and its staff. Presumably, Mr. Rockefeller will be called for further questioning when the hearings resume. One aspect of Rockefeller's finances—related to what might be called his political philanthropy—should receive special attention; it has long puzzled one or two investigators, although the general press never picked it up. Robert Sherrill first revealed the story in *The Accidental President* (1967, pp. 142-147; 271 ff.) and in 1970 Bernard Nossiter reported it in more detail for *The Washington Post*. The facts are complicated and require close attention.

Robert B. Anderson, a close friend of Lyndon Johnson, John Connally and Sid Richardson, the Texas oil tycoon, after serving as Secretary of the Navy and Deputy Secretary of Defense, had resigned from the latter post in August 1955, to repair his fortune. Even before he resigned, Richardson is supposed to have received word from his friend President Eisenhower that the latter would like to have Anderson as his running mate in 1956. But here was a snag: Anderson, another “man of modest means,” would insist on some financial recoupment before returning to public service in any capacity. Richardson came home to Texas from a Christmas, 1955, party at the White House with word that Eisenhower had been reassured that Anderson would be available. In *Six Crises* Nixon relates how he met with President Eisenhower on December 26, 1955, just after the latter's con-

IN THIS ISSUE

November 16, 1974

EDITORIALS

482

ARTICLES

- 486 South Africa:
No Revolution in Sight
Julius Lewin
- 487 Still Another Cover-Up:
The Amnesty Shell Game
Robert K. Musil
- 491 Waking from the American Dream
George P. Elliott
- 495 Pretrial Publicity:
Juries and the Mass Media
Jon R. Waltz
- 499 Listener Radio:
WBAI's Stormy Adolescence
Wendy Schwartz

BOOKS & THE ARTS

- 501 Mandelstam: Hope Abandoned *Robert P. Hughes*
- 502 Zimroth: Perversions of Justice
Theodore I. Koskoff
- 503 Erdman, ed.: The Illuminated Blake
Lincoln Kirstein
- 503 From the Headland (poem) *Anne S. Perlman*
- 504 “Money Is a Kind of Poetry” *Robert Leiter*
- 506 Theatre *Harold Clurman*
- 507 Music *David Hamilton*
- 508 Films *Robert Hatch*
- 509 Art *Lawrence Alloway*
- 510 Preventing the Death of the Brain (poem) *Joyce Carol Oates*

Publisher
JAMES J. STORROW JR.

Editor CAREY MCWILLIAMS Associate Publisher LINDA EDER STORROW
Executive Editor ROBERT HATCH Literary Editor EMILE CAPOUYA
Western Representative
GIFFORD PHILLIPS

Copy Editor, MARION HESS; Poetry Editor, GRACE SCHULMAN; Theatre, HAROLD CLURMAN; Art, LAWRENCE ALLOWAY; Music, DAVID HAMILTON; Dance, NANCY GOLDNER; Architecture, JANE HOLTZ KAY; Science, CARL DREHER; Advertising Manager, MARY SIMON; Circulation Manager, ROSE M. GREEN.

Washington, ROBERT SHERRILL; London, RAYMOND WILLIAMS; Paris, CLAUDE BOURDET; Bonn, C. AMERY; Jerusalem, HERBERT KROSNY; Canberra, C. P. FITZGERALD; U.N., ANNE TUCKERMAN.

The Nation is published weekly (except biweekly in July and August) by the Nation Company and copyright 1974 in the U.S.A. by the Nation Associates, Inc., 333 Sixth Avenue, New York, N. Y. 10014. Tel: CH 2-8400. Second class postage paid at New York, N. Y.

Subscription Price: One year \$15; two years, \$27.50. Add \$1 per year postage for Canada and Mexico; \$2 other foreign.

Change of Address: It is essential that subscribers ordering a change of address give four weeks' notice and provide their old as well as their new address. Please give Zip Code numbers for both addresses.

Manuscripts. All work submitted will be read by the editors. The magazine cannot, however, be responsible for the return of unsolicited manuscripts unless they are accompanied by stamped, self-addressed envelopes.

Information to Libraries: The Nation is indexed in Readers' Guide to Periodical Literature, Book Review Digest, Book Review Index and the Public Affairs Information Service.

THE
NATION

Volume 219
No. 16

ference with Richardson. At this session, the President spoke to him about relinquishing the Vice Presidency and accepting a Cabinet post, since his popularity rating had not risen as high as Eisenhower had hoped it would. There were in fact several discussions on the subject, but in the end Leonard Hall and other party leaders rejected any idea of dumping Nixon. However, Eisenhower still wanted Anderson in his administration.

What had Richardson done to assure Anderson's "availability"? In August 1955, Stanolind Oil and Gas Co., a subsidiary of Standard Oil of Indiana, held leases on certain oil lands in Texas and Louisiana, and Richardson held leases on most of the land surrounding the Stanolind acreage; in fact he is said to have held a lease at one time on the same property. In that month, Stanolind made what is known as a "farm-out" (an oil term for an interest that usually requires the recipient to explore and drill) on some of its acreage to a man named F. J. Adams, who in turn conveyed half of his interest to a Richardson firm that agreed to drill and, on the same day, gave roughly the other half to Anderson. No revenue stamps were affixed to that conveyance; presumably the only consideration was to be Anderson's help in finding a concern that would drill for oil. Adams' role was strictly that of a go-between. Two years later, in 1957, three weeks after he was named Secretary of the Treasury, but before he was confirmed, Anderson sold his interest for what he hoped would be \$900,000—that is, he was to receive \$450,000 in six installments and another \$450,000 was supposed to come out of contingent oil revenues. In effect, this meant that Anderson would receive payments from the sale after he had been confirmed as Secretary and these payments would necessarily be affected by the price of oil. Anderson was named Secretary of the Treasury on May 29, 1957, and confirmed on July 2. He sold his interest between these dates—on June 14—to the Delada Corp., a Nevada corporation that was run by Toddie Lee Wynne, an old friend of Sid Richardson. One of the original directors was the son of Clint Murchison; Murchison Sr. was, of course, a Richardson crony. Delada had changed its name (it was originally the Royal Gorge Company) and increased its capital stock just four weeks before it bought out Anderson. Delada was dissolved on September 25, 1963, the assets being sold to a company the president of which was Percy Bass, a nephew and heir of Sid Richardson and a law partner of John Connally. Delada's assets brought \$137,500, one-half of which went to International Basic Economy Corporation (or IBEC) which, in the fall of 1957, had paid \$150,000 for a half interest in Delada. IBEC was started by Nelson Rockefeller and was largely owned by the Rockefeller family. Its primary concern was investment in overseas enterprises, mostly in Latin America. The transaction with Delada was one of its rare domestic investments. So much was reported by Sherrill and Nossiter.

But now we know that Nelson Rockefeller loaned \$84,000 to Anderson to buy stock in IBEC a few months before he became Secretary of the Treasury. There was a first loan of \$60,000 on January 2, 1957, and another of \$24,000 on April 1. The loans were to enable Anderson, so he says, to buy 3,500 shares of IBEC which he

was to pay for over ten years, the first installment not being due until the end of 1957. On June 6, 1957, Anderson paid back the loan: that is, he simply returned the stock at the purchase price to Rockefeller.

As Secretary of the Treasury, Anderson became one of the six Cabinet members on a new Special Committee to Investigate Crude Oil Imports and, by all accounts, pretty much ran the committee. Later Eisenhower adopted almost word for word recommendations of the committee which urged establishment of a mandatory system of import quotas. During the years this system was in effect it cost consumers, by one estimate, that of the Senate Antitrust and Monopoly Subcommittee, \$7.2 billion a year, and by another, the Nixon Task Force, \$4.85 billion. And of course it proved to be a bonanza for Standard Oil of Indiana; Nossiter estimated the company had been given rights in the 1960s worth \$193 million.

What this chain of events suggests is that Richardson set up a situation in which Anderson, with no investment, stood to make as much as \$900,000 as a kind of beneficiary of Richardson's largesse. The deal did not work out quite as planned, but Anderson did receive close to \$300,000 from the sale to Delada and perhaps as much as \$70,000 in income before then. Delada would appear to have been essentially a mechanism used to make payments to Anderson. The circumstances under which Rockefeller made the loans to Anderson are of interest, as related to the timing of Anderson's nomination as Secretary of the Treasury and the report on the oil import quota system. More interesting, and curious, is IBEC's purchase of a half-interest in Delada for \$150,000, a purchase on which IBEC eventually lost \$81,250. The purchase was an odd transaction for IBEC to have made; it was, so to speak, "out of character." Did Anderson actually return the stock to Rockefeller when he said he did—before he was named Secretary of the Treasury—or was the stock returned only when it was known that IBEC was going to buy a half interest in Delada, which would help finance payments to Anderson? The extraordinary importance of the mandatory import quota system, which poured a king's ransom into the coffers of the big oil companies, makes the entire transaction of more than passing interest. Richardson and Adams are dead, but the Senate Rules Committee will want to question Rockefeller, Anderson and Percy Bass, among other principals, in close detail, so that this curious transaction, first brought to public attention in 1967, may finally receive a thorough ventilation.

Portents of Violence

The United Nations decision to give observer status to the Palestine Liberation Organization, and the recent Arab declaration at the Rabat summit conference that identified the PLO as "the sole legitimate representative" of the Palestinian people, have darkened still further the stormy skies of the Middle East. Only some very astute diplomacy, and probably a further strong verbal affirmation that the United States will not allow Israel to fall, will save that region, and possibly the entire world, from the conflagration which may come next spring.

The Gresham's Law of the Middle East has pushed the

extremists among the Palestinians into a firm position of authority, and the recent decisions have served among the Palestinians themselves to legitimize the PLO as sole leader, against whom none dare stand for fear of retaliation and personal murder. Recent hopeful signs among some elements of the West Bank population, who do want to come to a reconciliation with the Israelis, have been erased by an organization which, assuming its own propaganda is to be believed, sees the creation of the West Bank state as at best only a tactical move toward the elimination of Israel. The only significant opposition to the PLO among the Palestinians is more extremist than Mr. Arafat himself. It wants to push to the final confrontation with Israel at once.

The decisions put Jordan, a kingdom half of whose population (not including the West Bank) is composed of Palestinians, into a sort of limbo. What happens to that half of its citizenry whose loyalties to King Hussein may now be doubtful? Jordan, it will be recalled, was carved out of a territory which until the 1920s was considered an integral part of Palestine, and it is still looked upon as such both by some Palestinians and some Israelis. The probable effect of Jordan's surrender to the Arab decisions at Rabat, however, is undoubtedly more positive for its Hashemite rulers. Jordan will no longer be a "confrontation" country; it can stay out of the future war; and the whole affair could well be a stroke of luck for King Hussein's future prosperity and personal health.

Not so for the Israelis, or the immediate cause of peace. The United Nations decision is nothing more or less than a recognition that terror is an effective policy in the council of nations. It is a decision which militates against the moral efficacy of the United Nations itself.

But saying that does nothing to change the fact that the Israelis must eventually come to peace with the Palestinians, and that Israel's policy during the Golda Meir premiership did nothing to reach that position. There were missed opportunities in 1967 and 1968, at least until the three "no's" of the Arab summit at Khartoum; little was done to encourage an alternative Palestinian political leadership in the West Bank during the 1967-73 period; and Israel closed the door on King Hussein's proposal for a federated kingdom. The result is the bitter pill of PLO leadership of the Palestinians and the likely future dismemberment of the Hashemite Kingdom.

Reality dictates an adjustment, and the Israelis must eventually be prepared to negotiate with Palestinian representatives. The Israelis need not necessarily choose with whom they negotiate, so long as the second party is ready to sit down and negotiate with them. The nation's legitimate interests involve its security and its viability as a Jewish state, not a choosing of negotiation partners. Security undoubtedly involves borders that are defensible and guarantees, backed by Israeli as well as possibly foreign police power, that the West Bank will never be permitted to become a staging ground for the kind of terror that has been seen in recent months in Kiryat Shmona, Ma'alot, Nahariya and elsewhere—and was also seen in considerable abundance in the 1948-67 period. The economic cooperation and daily practical accommodation that have been prevalent in the West Bank and Israel for the last seven years represent the

kind of realistic base from which political forms must be encouraged to develop.

What is needed, above all, in the Middle East is a vision of peace that sees the Palestinians and the Jews as partners, not enemies. All parties, alas, still lack that essential vision. War can profit nobody. It can only imperil world peace and delay a political settlement. But the Arab states at Rabat have gone part way toward a policy of war. The affirmation of the PLO means a lack of political movement, and the absence of political movement no longer indicates a stand-off—it is a vacuum soon to be filled by new violence.

HERBERT KROSNEY

The Role of the Maverick

The temptation to compare Senator Fulbright's foreign policy speech of November 3 with Churchill's 1946 "Iron Curtain" speech proved irresistible to some journalists, but actually the only valid association was that both men spoke at Fulton, Mo., the site of Westminster College.

Fulbright's address, both in tone and purpose, was the very opposite of Churchill's. At his first press conference after he became chairman of the Senate Foreign Relations Committee in 1959, he proposed that the United States should seek to negotiate with the Soviet Union and should stop saying "no" automatically to all Russian offers to talk about ending the cold war. Red China should be recognized; new talks should be opened to try to settle the future of Vietnam; the possibility of a mutual withdrawal from Central Europe should be explored. Ten years passed before a President announced a policy of "negotiation, not confrontation" with the Soviets and twelve years before a new opening was made toward the People's Republic. At Westminster, Fulbright warned against the danger of renewed hostilities in the Middle East. And he inveighed against the materialism and luxury which dominates the upper and middle classes at home, "We cannot," he declared, "blame the oil producers for the irresponsible and rapacious extravagance of our vaunted 'way of life.'"

Fulbright, as James McCartney pointed out in a thoughtful article (the *Miami Herald*, June 2), has always been that "rarest of Congressional animals: a maverick." As such, his influence has been incalculable. He has been the philosopher of the Senate who has consistently tried to take the long view. He has kept insisting on reason and logic when few of his colleagues seemed willing to listen. He did not like the United States to be regarded as a "power": what was important was not whether a nation was powerful but what kind of lives it provided for its people. He opposed Eisenhower's intervention in Lebanon, Kennedy's at the Bay of Pigs and Johnson's in the Dominican Republic. He did not dictate to his committee; he thought of it as "a vehicle for education. A committee hearing was often a kind a seminar." The force and profundity of his Westminster address should serve to remind the nation of the magnitude of the debt it owes to him. As McCartney pointed out: "What Fulbright has done is to demonstrate that there is a role for the maverick in the highly charged political environment of Washington." And without him there will be an "enormous gap at the thinking level of foreign affairs, a level often by-passed by administration tacticians and politicians."

NO REVOLUTION IN SIGHT

JULIUS LEWIN

In a short history of England written long ago, G.K. Chesterton remarked that the most important event in the 19th century was the revolution that never happened. It is likely that future historians will have to explain why the revolution in South Africa, so long awaited during the second half of this century, did not occur.

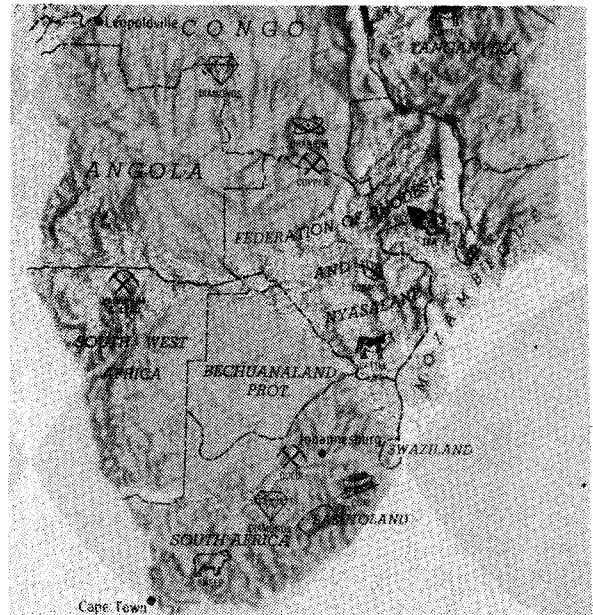
Ever since the campaign of passive resistance in 1952, followed by the Sharpeville "massacre" in 1960, foreign journalists and even academic observers—who should have known better—have predicted that revolution was just around the corner. But South Africa has continued to turn one awkward corner after another with increasing skill and there is still no sign of imminent revolution.

The latest event to raise the hopes of those abroad (and the fears of those at home) was the Lisbon coup last April. Hardly anyone anticipated it or foresaw that its consequences would include Portuguese withdrawal from Mozambique, if not Angola as well.

Only about 220 miles due west of Mozambique lies Johannesburg, the economic heart of South Africa; and the frontier itself is barely 50 miles from Lourenço Marques, Mozambique's well-equipped port of entry for many goods destined for South Africa and Rhodesia. Mozambique has already attained black rule and expects to become fully independent next June. However, the high hopes raised by this transition are likely to be disappointed. Although Frelimo, the African guerrilla organization now busy taking over the government, is led by men of radical views, they have promptly shown that they also possess cool heads with which to tackle the tasks lying ahead of them. Mozambique is, indeed, in no condition to do anything but play it cool in its economic relations with South Africa. The Portuguese Foreign Minister, Dr. Mario Soares, has himself recognized that Mozambique has too much to lose to attempt to break its reluctant "partnership" (his word) with Pretoria. Half of the territory's foreign exchange earnings and more than 40 per cent of its gross domestic product are derived from South Africa. And Prime Minister Vorster knows that the new black state needs its powerful white-ruled neighbor more than the latter needs it.

A similar situation could develop on the West coast of South Africa. There Mr. Vorster has long realized that the pressure to release Namibia (formerly South-West Africa) from white domination would continue to increase at the United Nations, which has not grown tired of this question since it first arose at San Francisco in 1945. Year after year the U.N. has censured South Africa

Julius Lewin was on the faculty of the Witwatersrand University in Johannesburg for many years before taking up residence in "voluntary exile" in London. He is the author of Politics and Law in South Africa and The Struggle for Racial Equality.



© Hammond Incorporated 10388

for its obvious failure to comply with the terms of the international mandate entrusted to it in 1920. Time after time Pretoria has produced strange constitutional stratagems designed to avoid the consequences of its failure and fraudulently to imply that Namibia is on the road to independence. The latest project is to offer the 343,000 Ovambos in the northern part of Namibia a spurious freedom of their own. They would then be free to unite with the other quarter of their nation across the border in Angola, which is still under Portuguese rule. If the Ovambos were detached from Namibia, the white community of 90,000 people would then become the largest single ethnic group among the nine colored groups, each of which is too small even to claim more than local or regional self-government.

Geography has been very kind to the white racist rulers of South Africa. Sheer distance, coupled with the lack of good communications (for anyone except government), protects the Union from neighbors who are unfriendly but also very poor and deeply dependent on its good will. This also explains why Pretoria calmly accepted the political independence granted by Britain in the 1960s to Botswana, Lesotho and Swaziland; and why independence even for Namibia, as for Mozambique, fills nobody in Pretoria with alarm. The fact of the matter is this: South Africa is by far the richest and strongest state in all Africa. It runs a well-balanced economy which enables it every year to spend large sums on modern arms kindly supplied by France and less openly by other sources in Western Europe eager to sell whatever South Africa cannot yet manufacture for itself. No wonder that South Africa could easily defeat in warfare even a score of African states acting in concert.

Moreover, there is in this situation another element so tainted by hypocrisy that it is appreciated only by

a minority of realists. It is the covert support that Britain and, to a lesser degree, the United States gives to Pretoria in a variety of ways. This statement will surprise only those simple minds who take at its verbal value all the ritual denunciations of apartheid heard at the U.N. and far beyond. The modern British diplomat is well aware that he must regularly declare that apartheid is detestable—while his colleagues who run the economic side of his country's affairs go on encouraging both trade and highly profitable investment in South Africa. The abundant evidence on record to confirm this paradox is readily available in the publications of the organized anti-apartheid groups active in London and New York. On the ground that Britain cannot afford to quarrel with one of its very best "trading partners," Harold Wilson's government carefully avoids any sort of confrontation with South Africa. On the contrary, there are indications that Labour remains as tender to white South Africa as the Conservatives have always been.

The attitudes of the Foreign Office in London and of the White House in Washington will be more clearly revealed in the coming crisis over Rhodesia. In 1975 the rebellious government of Ian Smith will be ten years old. International sanctions applied half-heartedly and thus ineffectively may develop a new force if, as expected, Mozambique now begins to play its part and uses against Rhodesia the pressure it dare not apply to South Africa. Even so, when white supremacy in Rhodesia somehow or other begins to totter, it seems improbable that black rule will follow without prolonged delay. What is foreseeable is a period of gray supremacy, so heavily disguised that argument about its true color could go on for years. The current phrase, popular in South Africa among the dwindling band of liberals, is "sharing political power." It appeals to the unsophisticated. It means that some black men, treated at last with dignity, are to get a minority of seats in Parliament and Cabinet. The one thing it does not mean is that elections will be held after adult suffrage has been conceded by a minority of whites to the large majority of blacks. Here, too, many spokes-

men at the U.N. have been guilty, ever since Mrs. Alva Myrdal's commission reported ten years ago, of failing to point out what votes-for-all would signify in Rhodesia or South Africa.

The right to vote in free elections is indeed the acid test. No white organization in South Africa—except the outlawed Communist Party before 1950 and the Liberal Party before it died in 1968—has ever advocated universal suffrage. The reason is obvious: there are today only 2 million white voters in South Africa but there are 15 million adult African men and women. Thus it would require nothing less than a full-scale revolution to introduce a democratic electoral system of the Western type. What sounds at the U.N. like a simple democratic demand for the franchise is officially recognized in Pretoria, London and Washington as a chilling revolutionary slogan.

It is worth recalling that when the Union of South Africa was constructed at Westminster in 1909, Arthur Balfour repeated in the House of Commons words he had spoken there about South Africa five years earlier, when he was the British Prime Minister:

All men are, from some points of view, equal. But to suppose that the races of Africa are, in any sense, the equals of men of European descent, so far as governments, as society, as the higher interests of civilization are concerned, is really, I think, an absurdity which every man who looks seriously at this most difficult problem must put out of his mind, if he is to solve the problem at all.

Of course, such thoughts are never uttered in public nowadays. Yet in their hearts many smooth white diplomats believe that to remove all the black man's burdens in Southern Africa would open wide the possibilities for such a degree of social change as they dare not contemplate. "Everything, in fact [in South Africa] is now under control," I wrote in *The Nation* of April 14, 1956, "except the aims and aspirations of 10 million [black] people." The number is now 20 million but the statement still stands. □

STILL ANOTHER COVER-UP

THE AMNESTY SHELL GAME

ROBERT K. MUSIL

President Ford's re-entry program for Vietnamese War resisters is part of a continuing cover-up of the terrible costs and consequences of this nation's intervention in Indochina. It is designed to discredit resistance to the war and, along with the Presidential pardon of Nixon, bring to an end our long "nightmare" of bickering over Indochina.

Mr. Ford's August 19th speech announcing leniency at the VFW Convention in Chicago came as a surprise to many and was widely reported as a courageous step. It was neither. With substantial numbers of the Nixon

entourage in jail or awaiting trial, leniency was on the way in; law and order on the way out. Melvin Laird and Robert Froehke had run up trial balloons for conditional amnesty and the weather was fine—a little flak from the VFW, but otherwise just fine. Meanwhile, in the wake of Watergate, sentiment for amnesty was growing. In March, a majority of Americans favored condi-

Robert Musil, a former Army captain who refused to serve in Vietnam, is associate secretary of the Central Committee for Conscientious Objectors and a member of the steering committee of the National Council for Universal and Unconditional Amnesty. He testified at the House Judiciary subcommittee hearings.

tional amnesty, and more than a third were for unconditional amnesty. And at the House Judiciary hearings on amnesty, it became clear that at least a conditional amnesty might soon be in the works in Congress. [See Musil: "Amnesty—What Kind and When?" *The Nation*, April 20.]

Mr. Ford's speech to the VFW is a classic example of the kind of cynical manipulation that we have come to expect of Presidential speeches. "Unlike my last two predecessors, I did not enter this office facing the terrible decisions of a foreign war." This from a man whose first complaint against Defense Secretary Schlesinger was that he wasn't effective enough at peddling aid to Indochina to the Congress, and who was heard emerging from his first National Security Council meeting as President singing the praises of a Congressman who stands "firm and tall on the war."

The speech was vintage Nixon "peace with honor," rewritten into Jerry Ford's "straight talk." It contains the same self-serving analogies to Lincoln and Truman, the same ritualistic invocation of Medal of Honor winners, the same vilification of war resisters, those "few citizens" who committed the "supreme folly of shirking their duty at the expense of others." But the worst was yet to come. First came the "full, absolute and unconditional" pardon of Richard Nixon, and then in sharp contrast, on September 16, the detailed White House announcement of the re-entry plan.

As Atty. Gen. William Saxbe said earlier, persons returning under the plan would have to show "contrition." So much, in fact, that the program looks as if it were designed to fail. It provides for clemency for persons convicted, charged, under investigation, or sought for violations for portions of the Selective Service Act or Articles 85 (desertion), 86 (AWOL), or 87 (missing movement) of the Uniform Code of Military Justice (UCMJ). Those not yet convicted of an offense must turn themselves in by January 31, 1975, reaffirm their allegiance to the United States, and agree to perform two years of alternate service in the national interest. Draft violators report directly to the U.S. Attorneys and will be relieved of prosecution upon completion of alternate service. Military absentees return to a central processing point, first located at Camp Atterbury, Ind., and now at Fort Benjamin Harrison, sign their oath, agree to do alternate service and then receive an undesirable discharge (UD). If and when they complete alternate service they receive a new clemency discharge.

Those already convicted of offenses eligible for amnesty apply to a nine-member Presidential Clemency Board which reviews their case and may recommend clemency to the President contingent on up to two years of alternate service. Draft violators may have their civil rights restored, but their records will not be expunged. Veterans holding undesirable or punitive discharges for desertion offenses will receive a clemency discharge upon completion of alternate service. That is a simple explanation of the program, and even on its face, it is insulting and unacceptable to most war resisters. On closer examination, the plan is even worse—conceived in bad faith and riddled with traps, inconsistencies, illegalities and inequities.

To begin, the plan does not even cover most war resisters. According to official figures, there are eligible about 15,500 draft resisters, 12,500 deserters-at-large (of whom about 10 to 20 per cent will be ineligible because of other offenses), and about 200,000 veterans who received undesirable or punitive discharges because of offenses under Articles 85, 86 and 87 of the UCMJ. Apparently ineligible are any draft fugitives who are aliens or who have become citizens of another country. That is ominous, since in the year 1972-73 more than 3,000 American males became Canadian citizens, an increase of 82 per cent over the previous year. Also ineligible are eighteen draft resisters not furloughed from prison at the time of the announcement because of other charges, persons charged with a variety of other violations stemming from opposition to the war in Vietnam (destruction of government property, tax refusal, conspiracy, riot, and so on) and more than 300,000 veterans with other than honorable discharges that stem from charges or actions other than desertion (refusal of orders, disrespect, disloyalty, etc.). Ford's plan, in short, ignores some of the most principled opposition to the war in Indochina and the military. Those not included comprise a roster of well-known resistance cases: the Berrigan Brothers; the Chicago 15; the Milwaukee 14; the Presidio 27; Capts. Howard Levy and Dale Noyd; Seaman Roger Priest (convicted by the Navy of "disloyalty" for publishing his underground newspaper, *OM*, from within the Pentagon); Andy Stapp, founder of the American Servicemen's Union, and many, many more.

As for those who are included, the loyalty oath, with its imputations of guilt and evasion, will prevent the most conscientious from using the program. The oath and pledge required of deserters is so outrageous as to deserve full inclusion here:

On or about _____, I voluntarily absented myself from my military unit without being properly authorized in contravention of the oath taken upon entering the nation's military service. Recognizing that my obligations as a citizen remain unfulfilled, I am ready to serve in whatever alternate service my country may prescribe for me, and pledge to faithfully complete a period of _____ months service.

I do hereby solemnly reaffirm my allegiance to the United States of America. I will support, protect and defend the Constitution of the United States against all enemies, foreign and domestic; and will hereafter bear true faith and allegiance to the same.

I take this obligation freely without any mental reservation or purpose of evasion.

Such an oath alone has doomed the program to failure. An editorial in the *Christian Century* sums up its implications:

To earn reentry, a man would have to be contrite, and to accept his country's forgiveness for an act of moral protest. In order to be contrite, he would have to acknowledge that his moral protest was a mistake. Ironically, then, a man's willingness to accept earned reentry will be inversely related to his conviction that the war was immoral.

Draft resisters are required to sign a similar oath with an even more outrageous and ominous addition—they must give up their constitutional rights. "I also knowingly

and voluntarily agree to waive the constitutional right against double jeopardy and the right to use any delay . . . to establish a defense . . . the constitutional right to due process or a speedy trial, and the statute of limitations. . . ."

This agreement is coupled with prosecutorial guidelines from the Justice Department that fugitives who turn themselves in and admit to an offense will be subject to prosecution even if "neither under indictment nor investigation for an offense covered by this directive." This entrapment, without access to counsel, *Miranda* warnings, or any other safeguard of due process, will subject the program to continuous legal challenge. And well it should, for there are unknown thousands of young Americans in exile or underground who believe they have violated the law, but *who have not*.

During the Vietnam era, Selective Service reported 206,000 persons as delinquent to the Justice Department. Of these, only the 15,500 eligible for the program were eventually indicted, convicted, or are still under investigation. The other 191,000 either had their indictments dropped, dismissed, or were eventually acquitted. Of those indicted who eventually reached trial, the conviction rate has steadily dropped over the years, reaching 28 per cent and 33 per cent respectively in fiscals 1973 and 1974. The reason, as opponents of the draft and proponents of amnesty have argued ceaselessly, is simple: Selective Service massively flouted the law for years and the indictments just won't stick. In the words of Marvin Karparkin, general counsel of the American Civil Liberties Union, "A huge amount of draft-law evasion and violation was committed by the draft boards and the administrators of the Selective Service System."

For example, federal courts held and Congress finally required that local draft boards had to state clear reasons for denying a C.O. claim. In 1970 alone there were 100,000 applicants for C.O. status, of which only 19,000 were granted. No one knows what happened to the 81,000 rejected applicants, but many fled the country in frustration. But if they were denied reasons for their rejections, as most were, it was not they who violated the law, but Selective Service. Other examples of Selective Service illegality abound and are fairly complex. But the point which is relevant today is that the Justice Department has never made an attempt to notify those individuals whose indictments have been dropped, or were never issued because of Selective Service illegalities. Therefore men who utilize the clemency program and give up their rights may be subjecting themselves to punishment not for their crimes but for crimes committed against them.

The program is hollow and futile for deserters as well. The reward for two years of alternate service on top of military service and prison, exile or life underground, is a clemency discharge. This new classification is probably illegal, since under the Constitution, the Congress and not the President has the power "to make rules for the government of the land and naval forces." In any case, the new discharge is worse than an undesirable discharge (UD). The Presidential proclamation clearly states that a clemency discharge "shall not bestow entitlement to benefits administered by the Veterans Ad-

ministration," whereas in the past a UD has eliminated benefits because of VA practice, not the law. The two great disadvantages of a bad discharge have always been lack of VA benefits and social stigma, especially employer discrimination. The clemency discharge endorses and perpetuates the former, and may make the latter worse. At least other bad discharges can be explained to an employer as resulting from a single incident, or harassment, or immaturity. But the clemency discharge, stamping its holder as a deserter and disloyal, will outrage many employers. Or, as President Ford put it in his proclamation, "Desertion in time of war is a major, serious offense; failure to respond to the country's call for duty is also a serious offense. Reconciliation among our people does not require that those acts be condoned."

It will matter little to an employer that most holders of clemency discharges could have been convicted only of AWOL, not desertion, or that the more serious charge, "desertion in time of war," has been held by the courts inapplicable to the war in Vietnam. It will matter little what harassment or abuse these men endured before they left, or what atrocities they observed. President Ford has broadcast to the country that they committed the "supreme folly." The clemency discharge is worse than any other, also, in that it apparently cannot be appealed. Military discharges, like local draft board decisions, have been notorious for lack of fairness and due process. But at present, the holder of a bad discharge has at least some chance of relief by applying through the military Discharge Review Boards or Boards for Correction of Military Records. In most cases, the discharge is unchanged, but in some it is upgraded to general or honorable. Clemency discharge holders will lose even this slender option.

There are further difficulties with the program. The guidelines for mitigation of punishment to be served under the direction of Selective Service are extremely vague and open to abuse. And, incredibly enough, they stress hardship, incompetence, time in service or in Vietnam, wounds and decorations—almost anything, in fact, except clear opposition to the war in Indochina. Applicants do not appear in person, each case before the military Joint Alternate Service Board, U.S. Attorneys, or the Presidential Clemency Board being decided only on the government's record and any additional materials submitted by the individual. Once again, as in the draft and military tribunals, the best educated and best represented will be best able to document mitigating circumstances.

This kind of case-by-case review is bound to repeat the class and race discrimination of the Truman Amnesty Board of 1947. But this time, President Ford has learned not only that the buck stops at his desk but also that his clemency plan needs a little 1970s public relations window dressing. The Clemency Board is carefully and broadly representative. Indeed, it is almost a parody of equal representation: one liberal anti-war ex-Senator; a Catholic in favor of amnesty; a black civil rights figure; a woman; a Marine general; a disabled vet, et al. The appointments of the board's three most prominent and liberal members, former Sen. Charles Goodell of New York, Father Theodore Hesburgh of Notre Dame and Vernon Jordan of the National Urban League can only



Conrad, Los Angeles Times

"What If We Gave an Amnesty and Nobody Came?"

help to deepen the cynicism of the young in this country. Apparently, they were not supposed to take Senator Goodell's utterances that the war was immoral seriously enough to act on them. And what are they to make of the principles of Father Hesburgh, who resigned from the Nixon administration and came out for unconditional amnesty after Spiro Agnew's plea bargain? Only a few days before his appointment, Hesburgh joined with other religious leaders in an attempt to visit President Ford and plead for amnesty. They were rebuffed, but their message was, "If leniency excludes certain categories of persons or if conditions are so strict that few take advantage of the leniency offered, our nation would continue to have an exile community and an underground community at home. Consequently, we would not be united, but divided, and the wounds would remain."

In a final ironic twist, the program places the alternate work program under the direction of the Selective Service System, an agency infamous for its misunderstanding and abuse of objectors and resisters. It is precisely because they were opposed to conscription and the punishment of alternate service for obeying their consciences that many of these men refused to have anything to do with the draft in the first place. The rules for administering alternate service are complex; it is perhaps enough to note that those who will be subjected to it will lack the right of appeal and will be subject to the whims of Selective Service for two years.

Given all this—the VFW speech, the Nixon pardon, the oaths, a Clemency Board that can offer no real relief dressed up in liberal clothes, the legal traps, the

imputations of guilt—it is no wonder that the Ford announcements were met with outrage and disdain on the part of war resisters. At a conference in Toronto on September 22, exiles denounced the plan, demanded universal and unconditional amnesty, an end to the war in Indochina, and called for a boycott. At home, the National Council for Universal and Unconditional Amnesty opened new offices in New York City, Atlanta, Denver and San Francisco to warn resisters of the pitfalls and get them involved in the total amnesty drive. The ACLU denounced the program as "offensive in its assumptions and outrageous in its implementation," and promised legal challenges as well as free legal counsel to those covered by the program. It is their opinion and that of other draft and military law experts that most men will be better off avoiding the program entirely, seeking legal redress outside it if they return at all.

The rejection of the plan also took dramatic personal forms. Draft resister Bill Meis, 29, originally of Decatur, Ill., became the first exile to return in order to protest and reject the plan. Meis, who had been in Canada for six years, is married and has two small children. He came back with the help of the Safe Return Amnesty Committee, an effective group that had previously arranged the dramatic returns of deserters John David Herndon, Ed Sowders, Lew Simon and others. Meis's return was just as effective, with the media carefully recording his joyful reunion with his parents in Chicago, and his equally painful failure to gain admission to the Presidential Clemency Board to protest his case. Meis demanded amnesty for all war resisters before turning himself in to U.S. Attorneys to face trial. "I am home, but my exile has not ended."

Equally dramatic was the refusal of draft resister Steve Bezich, imprisoned at El Reno, Okla., to accept the furlough granted those in prison while they await action of the Clemency Board. Others of the eighty-three prisoners released have also stated that they will return to prison rather than submit to the clemency plan. The entire plan, in fact, seems to have stirred up further resistance and demands for amnesty, rather than put an end to the problem. The widely publicized first customer of the program, John Barry, 22, of San Francisco, turned himself in to U.S. Attorneys, admitting that he had never registered for the draft. However, it was little reported that, after weighing the implications of clemency, Barry is now in exile in Canada. Also little reported were acts like that of James A. Degal, director of the Spokane Center for World Justice and Peace who, hearing of the plan, mailed back his draft card and declared, "I stand in solidarity of conscience with all the peoples of the world who are oppressed, imprisoned, exiled and tortured for their moral and political beliefs."

By October 24, after more than a month of operation, the clemency program was already clearly a failure. The Presidential Clemency Board still had only a few hundred cases of those released from stockades and prisons to consider. Few of the more than 200,000 others eligible to apply to the board appear even vaguely interested. U.S. Attorneys were not faring much better. The Justice Department reported that during this period exactly sixty-six draft fugitives turned themselves in.

And in Indiana, the Department of Defense closed down its processing center at Camp Atterbury and moved it to smaller quarters at Fort Benjamin Harrison. They had discharged 1,419 absentees, only 964 of whom had surrendered voluntarily. The Pentagon tried as usual to make it look as if these men were merely immature or suffering from personal problems. [See Musil: "The Truth About Deserters," *The Nation*, April 16, 1973.] However, lawyers and counselors familiar with procedures at Atterbury and Harrison report that alternative service sentences are lightest for those least opposed to the war or the military, stiffest for those who take strong anti-war stands. Whatever a man's reasons for quitting the Army, the Joint Alternate Service Board perceives few mitigating circumstances other than wounds and decorations. To date, 1,140 of the 1,419 discharged have received 19-to-24-months alternate service. And not all have been happy about the opportunity. Thomas King, 27, a sheet-metal worker who left the service after basic training in 1967, was turned in by his wife. "I was opposed to the Vietnam war, but I was not a pacifist. I deserted because it was an illegal war. I don't believe in any limited amnesty, but you have no choice."

There has been one happy outcome of the plan so far—a list of indicted draft violators has finally been obtained from the Justice Department at the prodding of the Center for Social Action, United Church of Christ. The existence of such a list had been denied for years, but was revealed inadvertently by Justice in a conversa-

tion with UCC's amnesty coordinator, the Rev. Barry Lynn. Lynn and the United Church threatened a suit under the Freedom of Information Act and the list was finally handed over on October 24. The United Church, ACLU, the Central Committee for Conscientious Objectors and other groups hope to use the list to help fugitives determine whether they have in fact violated the law.

Amnesty groups are gearing up for more action toward a universal unconditional amnesty, even before the January 31st deadline. They will huddle at a National Amnesty Conference in Louisville on November 16-17 to plot strategy. They believe that Ford's action has simultaneously appeased those who opposed any clemency at all, and exposed the inequities and the administrative and legal hopelessness of any conditional amnesty plan. Once the dust settles after January 31, amnesty advocates are convinced that the public will realize that the Ford program was a failure and that total amnesty is the only feasible and fair solution.

As for President Ford, his attempts to pretend that the war in Indochina was just and is over, that resisters committed the "supreme folly," that the draft and military were free of discrimination, illegality and inequity, and that our long national "nightmare" has ended, have clearly misfired. As with the Nixon pardon, President Ford underestimated the depth and the seriousness of the amnesty question and hoped it could be quickly and quietly laid to rest. He is wrong. But like his "last two predecessors," it may take some time, and much effort, to convince him of the fact. □

Waking from the American Dream

GEORGE P. ELLIOTT

Until six years ago, "The American Dream" was an expression I had used seldom if at all, and the only time I had inspected it more than casually was when I had tried to figure out why Mailer had named one of his novels *An American Dream*; but this inspection did not come to anything because I soon decided that that title had as little connection with its story as *Why Are We In Vietnam?* had with its; two lousy Mailer novels with spectacularly bad titles; forget them. As for Albee's play, *The American Dream*, the irony of the title is heavy, and the irony of the outwardly pretty but inwardly corrupt young man who is supposed to embody the dream is not just heavy, it is a lump.

Why do we Americans have to be so pompous and self-conscious? Whatever the people of Uganda and China are up to, they are doing it without benefit of "The

George Elliott, professor of English at Syracuse University, is the author, among other books, of Parktilden Village (Beacon Press), Among the Dangs (Viking), Conversions (essays) and Muriel (both Dutton). The poem, "Visit from the Dead," quoted in the text, is reprinted from his book of poetry, From the Berkeley Hills (Harper & Row).

Ugandan Dream" or "The Chinese Dream"; and "The Swiss Dream" evokes nothing so much as a big cake with a sugar Alp on top. Phrases like "100 per cent American," "the American Dream," "the American Way of Life" have always made me itchy; I avoid them.

However, in the fall after Martin Luther King was assassinated, I was talking with a former student who was then teaching lower division English to nurses and other paramedicals, and she observed that when she had been selecting some contemporary, "relevant" fiction to teach, she had found no novelists who were against the American Dream. However critical they were of America, they were for the Dream. That rocked me back on my heels. I knew she was talking of writers such as Baldwin, Ellison, Roth, Malamud, Bellow, and it had never occurred to me that they had any more use for the American Dream than I thought I had. Rags to riches? Horatio Alger? Who was she kidding? But I knew she was serious and very intelligent; I asked her what she meant. "You know," she answered, "the American Dream." But I didn't know. "America," she said. "Democracy and freedom. What America is all about. You know, Martin Luther King's 'I have a dream.'" So I said oh yes, and we went on to something safer.

Recently I have been asking my friends what they

thought was meant by "the American Dream." There was little agreement; some spoke of it in the past tense, most in the present; equality was mentioned, success, progress, the frontier, individualism, capitalism, the founding fathers. But on three things they agreed: none claimed to be very sure what it meant, they all touched on freedom of one sort or another, and they agreed that the Dream was important and affected the way lots of Americans behaved. I asked a carpenter friend what it meant, and he was so bothered by the question, which he could not answer, that he went around in a bar that evening asking people. A blind man said it meant everybody helping everybody. An old codger said, "Turn the clock back to 1923. For Christ's sake leave me alone." One said "Watergate"; another, "Making a pile." This much at least became clear to me: the Dream is amorphous enough and has enough ingredients in it to feed a host of fantasies. Perfectly self-contradictory fantasies, too. In 1972, a poll indicated that the Americans who said they were most strongly opposed to McGovern's income distribution plans were not the middle classes or the rich, but the very poor. Something for everybody: the rich can dream of equality without having to give up their money, and the poor would rather keep on dreaming that their ship will come in some day than accept a little hard cash right now.

The vulgarity of Alger's self-made, free-enterprise success and the nobility of King's vision of harmonious brotherhood—my first task is to show that these extremes and everything between them belong to one species.

One classic novel of the American Dream is *The Great Gatsby*. It does not understand the Dream primarily by means of the story or the characters, as you can see by the recent movie; the film is more or less faithful to the story and the characters, but understands costumes and décor better than it understands what was wrong with the world *Gatsby* wrongly bought his way into. The primary value of the novel is in the sentences of the narrator Nick Carraway, that is to say, of F. Scott Fitzgerald. And the last sentences of the novel, though they do not define, beautifully evoke the power of the Dream and suggest something of its nature—both why it is so powerful and also what is illusory about it. Here are three passages:

... for a transitory enchanted moment man must have held his breath in the presence of this continent, compelled into an esthetic contemplation he neither understood nor desired, face to face for the last time in history with something commensurate to his capacity for wonder.

And as I sat there brooding on the old, unknown world, I thought of *Gatsby's* wonder when he first picked out the green light at the end of Daisy's dock. He had come a long way to the blue lawn, and his dream must have seemed so close that he could hardly fail to grasp it. . . .

Gatsby believed in the green light, the orgiastic future that year by year recedes before us. It eluded us then, but that's no matter—tomorrow we will run faster, stretch out our arms farther.

To extrapolate from the end of *Gatsby*: America's wealth and openness released men to hope that they, both in-

dividually and collectively, could make a world as marvelous as they could imagine; but in reality they could not because there was something in their history, in their own nature, which made this extravagant hope unrealizable. That says a great deal, but it still leaves much unclear about this Dream which it is unwise to try to live by.

Another of our classics—the novel of which Hemingway said, hyperbolically, "All modern American literature comes from one book by Mark Twain called *Huckleberry Finn*"—is the story of Huck's long holiday from society, and the greatest good of this holiday, a good impossible within the society from which he was escaping, was his brotherhood with Jim, a black and a slave. Brotherhood, yes; but even more importantly, in *Huckleberry Finn*, as in that other classic *Moby Dick*, one can see, like an area marked *terra incognita* on a map, the huge region of life the American Dream omits. More than omits: implicitly it promises something like this: "America is so free and equal and expansive and abundant and generous you can avoid the entanglements of love, family, and society"—even though all of us, being human, are in fact, to one degree or another, in one way or another, lovers, children and parents, citizens. At the end, the holiday over, Huck says: "I reckon I got to light out for the Territory ahead of the rest, because Aunt Sally she's going to adopt me and sivilize me, and I can't stand it. I been there before."

Thoreau's principal writings are "Civil Disobedience" and *Walden*, the famous account of his vacation from society. If Emerson preached nothing else he preached "Self-reliance"; and, as someone remarked, a creature from another planet could read all of Emerson without suspecting, what he would learn from any cheap melodrama, that the most interesting condition of human existence is that there are two sexes, needing, wanting, warring with, interested in each other. Well, you don't have to be 100 per cent Freudian to think there is something peculiar about any dream, except a monastic one, which leads you to suppose you can get along fine without sex and family. Recently on the radio, I heard the expression "creative divorce" attributed to a popular psychologist. What oxymoron will the dreamboats dredge up next—creative abortion?

Free and equal, they are at the heart of the Dream, and also rich and expansive, Progress and Success. But it has turned out that not even America has enough wealth, especially the spiritual opulence that comes from wide-open spaces, the frontier, to support the profligate habits of freedom; that is, there literally isn't any Territory left to light out for (Alaska maybe? no, there's that damned pipeline), and at Walden Pond in the mid-20th century Robert Lowell has found not self-reliance in the wilderness but "Ten thousand Fords in search of a tradition." As for America's equality, including equality of opportunity, that always was a painful lie in fact, as dark-skinned Americans have always known. Nevertheless, the dream of egalitarianism, far from fading, is now more intense than ever among the well-off, even as its similarly deformed brother, rags-to-riches, is alive and well among the poor.

There are those who say the American Dream doesn't

exist any longer. For example, in an article entitled "Red Necks, White Socks, and Blue Ribbon Beer" (*Harper's*, July) Florence King says of truck drivers listening to country music: "... the Inferiority songs such as *If I Had Johnny's Cash*, *Charley's Pride*, and *You* provide them with painful reminders that the American Dream which they have long cherished has ceased to exist—except, ironically, for a country music star like Loretta Lynn, who has made an enormous fortune even though she can barely read and write." I think the author is wrong; the Dream still exists, only it has turned into a nightmare, as her own example suggests. Horatio Alger's heroes studied hard, worked hard, followed the rules, and made a pile: Success. Loretta Lynn made a pile too, but not by following the good old rules; and some people have achieved Success by blatantly flouting most of those rules—Andy Warhol, for example, in a nightmarish travesty of the Alger formula.

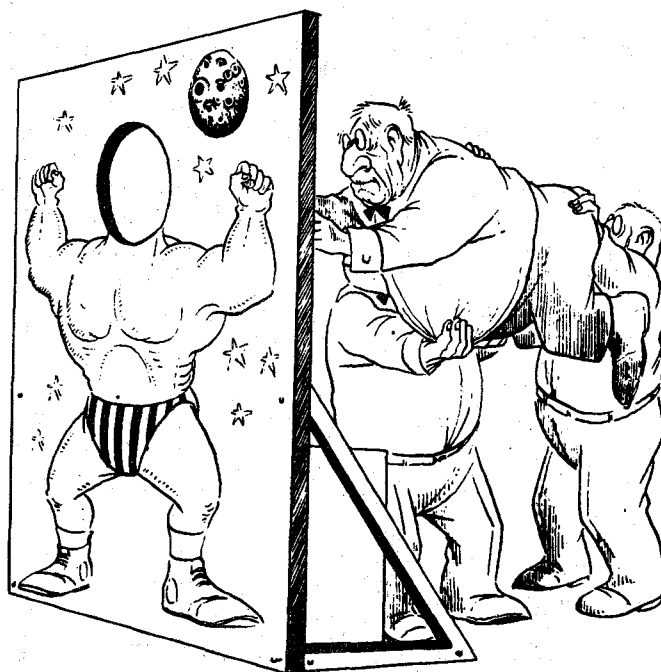
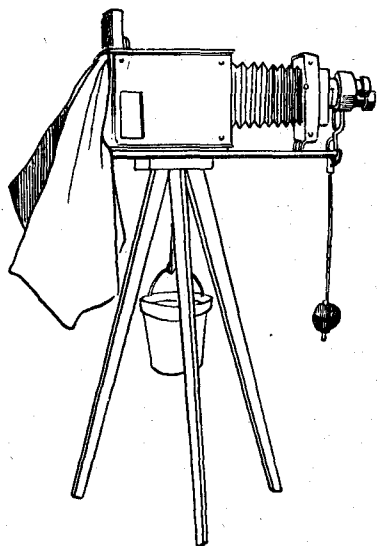
The career of Richard Nixon provides material for a story of the American Dream turning into a nightmare. If ever he spoke sincerely and from the heart in public, it was during his acceptance speech at the 1968 Republican Convention. He saw himself as fulfilling the American Dream and, as he spoke, his voice shook—not because of the success in itself but because this success, by fulfilling the Dream to which he had been true, proved that it had been a true dream. Nixon was becoming a myth in his own eyes, ascending to the world of mythical heroes, whose legends at least are immortal. A poor boy from humble circumstances works diligently and goes by the rules of American Success—"You too can make it"—and he is rewarded, the dreamed promise is fulfilled, by his becoming the President of the United States, the most powerful man in the world. So he was seeing his myth. However, the story I am imagining, not being a legend, would also point out that he was not very poor, that he was a white Anglo-Saxon Protestant, and that he

was a boy, and it would also point out that he was a bit deficient, at the time of the speech, in the obvious manifestation of Success—lots of money—a deficiency his political success would of course permit him to remedy. As we know, the man he has felt most at ease with, Bebe Rebozo, is also one who has lived and been rewarded by the Dream and also one who worships the greatest living hero of the myth of Success.

(A note. Many people speak of Nixon as though he were motivated by simple greed, plain old avarice. They are as wrong, I think, as are those who insinuate that Martin Luther King must have had a wide streak of masochism in him to expose himself to the danger which finally killed him in his prime; for them, martyrdom proves masochism. On the contrary, I think that, just as King lived by his version of the Dream, Nixon has lived by his. Nixon has preferred the company of Big Money men because they are what his Dream authenticates as the best, and if he lined his pocket while in office, it was not out of simple avarice so much as because he, foremost among the best, was entitled to the promised reward.

And then came Watergate, and the Dream turned into nightmare. I don't think it necessary to belabor the point. The nightmare is not just his, it is ours too, and besides the story is still a-writing. However, as material for a story, Nixon is in a class with Lincoln, literally fabulous. Not the least of the American Dream is the notion that the people can do a better job of selecting rulers than primogeniture did or any of the other varieties of aristocracy and monarchy. Well, we the people overwhelmingly selected Richard Nixon, and he really has lived the Dream. So what does that say about it, now that it has turned nightmare, and where does that leave us? What moral shall we draw from the tale?)

The strongest image for the American nightmare



Vadillo, Siempre (Mexico)

I know of is in the opening chapter to a novel, *The Trapper's Last Shot* by John Yount, that came out last year with no great fanfare; I hope it becomes a minor classic on the order of *Gatsby*, though it is so grim it is never likely to become popular. One hot summer day in Georgia, five boys went for a swim.

When they got among the trees on the river bank, the oldest of them, who was fourteen, shucked quickly out of his britches and ran down the bank and out on a low sycamore limb and, without breaking stride, tucked up his legs and did a cannonball into the water. The surface all around, even to the farthest edge, roiled when he hit as if the pool were alive, but they didn't see the snakes at first. The boy's face was white as bleached bone when he came up. "God," he said to them, "don't come in!" And though it was no more than a whisper, they all heard.

The swimming hole was alive with water moccasins.

For days afterwards no one could think or talk of anything else. Some said they had heard of snakes congregating like that before, but nobody seemed to know what caused it. The drought, some offered. A biology professor at the college in Seneca was quoted in the paper as saying that it might have been a kind of breeding orgy that belonged, evolutionarily speaking, to a more primitive time. Some thought it was more than likely a consequence of the infernal testing of atomic bombs. And some felt very strongly that it was a judgment on them, connected somehow with the disrespect of the young for the old, the Communists taking over, the niggers getting too big for their britches—a sure sign given them to show the degeneration and sinful nature of the times.

But my subject is "Waking Up from the American Dream." Huck Finn didn't wake up from it, but Mark Twain did; and on the evidence of his last, important, very sour book, *The Mysterious Stranger*, he did not like what he saw when he woke up. *Gatsby* did not wake up from the Dream, but Nick Carraway did; and the story he, that is, Fitzgerald, wrote about it helps one understand the difference between that Dream and the American reality and also how the Dream modifies the reality for good and for ill. For a long time, California, wide open and full of riches, was the Territory Americans lit out for or wanted to light out for; as the Native Sons of the Golden West put it, "God created California as a paradise for the white man." It was the Dream state, and Hollywood was the Dream factory. Well, perhaps the nightmares California has recently been enduring will help America wake up, if only to shake them off. If Nixon's story, from Whittier to San Clemente via Washington, is one sort of parable, Patty Hearst's riches-to-rags is another; and only a swimming hole full of water moccasins provides an image potent enough for the Manson travesty of a family.

The very hideousness of these bad dreams has shaken America. There are those among us, of course, who lapse into other dreams—into the literal dreams of hallucinogens, what is sometimes called exploring "the new frontier within"; or into nihilism, all the way from Andy Warhol chic to Weatherman desperate; or into totalitarianism of one variety or another, all the way from Maoism to KKK fascism; or into some freaky religion.

But many are able to awaken to the American reality and to come out of the Dream without rejecting its valuable elements. For example, freedom to make a pile by climbing over other people and by squandering the natural resources was a perversion of what our noble dream of freedom was intended to be about; but we should be able to control that get-rich-quick, material freedom without losing the freedoms that matter spiritually, such as free speech. The opposite to a false faith in Success and Progress need not be cynicism and despair. This year, for example, John Gardner's best novel, *Nickel Mountain*, portrays an America that is neither nightmarish nor unreal; and there are others like it in this respect, and more are on the way.

Walt Whitman is the poet laureate of the American Dream, and what you think of him depends in good part on what you think of the Dream itself. In this century a good many poets have dealt with the American Dream without losing their balance, especially those whose mode is ironic, for what subject could provide more occasion for ambiguity than this? One poet who has not succumbed to the Dream but sees it as part of American reality, who has kept her sane poise superbly, is Josephine Miles. Here is "Government Injunction Restraining Harlem Cosmetic Co."

They say La Jac Brite Pink Skin Bleach avails not,
They say its Orange Beauty Glow does not glow,
Nor the face grow five shades lighter nor the heart
Five shades lighter. They say no.

They deny good luck, love, power, romance, and inspiration

From La Jac Brite ointment and incense of all kinds,
And condemn in writing skin brightening and whitening
And whitening of minds.

There is upon the federal trade commission a burden
of glory

So to defend the fact, so to impel

The plucking of hope from the hand, honor from the
complexion,

Sprite from the spell.

The era which began with the Enlightenment two centuries ago is drawing to a close. Liberty, equality, fraternity didn't work out so well in France, and our liberty, equality and progress have worked out pretty badly, too. What comes next, nobody knows, and it's obviously a good idea, before deciding what ought to come next, to look at the realities. One reality that I see is that no system of dream ideals ever will work out in an actual society; don't expect any system to provide all, or even many, of those great goods promised by the American Dream—nor by the Socialist Dream, which is also potent and also various and amorphous enough to feed a host of fantasies. Some social systems work worse than others, that's all. "Democracy," according to Churchill, "is the worst form of government ever invented, except for all those others." For example, what is society to do with convicted criminals? Kill them? Maim them? Fine them? Imprison them? Rehabilitate them? Psychiatrize them? The one thing you can be sure of is this: whatever system you devise, it will be unsatisfactory.

Another reality I see, without understanding it

very well, is this: now that it is generally and openly admitted that we are, among other things, lovers, what does it mean that we talk about love-making so much and so publicly? Is Dr. Comfort's gourmet sex what we really want? Perhaps "sexual liberation" is a variant of the dream of eluding the entanglements of love and family, only this time not by denial and evasion but by promiscuity and state-supported child-care centers. Oh, how Dreamy Americans do like to substitute fun for responsibility. Have you ever noticed how the word "comfortable" is often used to cover over the difficult, the entangled, the obscure, the moral? I want you to be comfortable with this idea, or arrangement, or whatever. Well, acquiring the technique of producing orgasms is a lot more comfortable than acquiring the wisdom of love, but humanly it seems to me a great loss to substitute the comfortable pleasure of sex for that wisdom, especially since that wisdom includes that pleasure. Pleasure's orgasm is the ultimate papaya, the peach-*an-sich*; love's orgasm also soars up into words which a swinger only puts into his mouth with a slur; words such as joy, rapture, ecstasy. Aren't the sex technicians, at least implicitly, advocating that we substitute how-to-do-it for communion? Aren't they plugging into the same old Dream of evading the difficult, profoundly human responsibilities of family, marriage, shared lives?

I am not sure. But I am sure that the process of waking up from the American bad Dream is painfully confusing and is at once public and private. Here is a poem of my own about an experience of troubled awakening. It is called "Visit from the Dead."

At first glance, I'm surprised that you
Are there in the bed next to mine.
But of course: the contagious ward,
We're both down with the same languor;
Only you're far worse off than I,

Fatally still, just lying there,
Nothing but wide eyes watching me. . . .
I bolt from the dream, stare around
My usual, altered bedroom,
Try to shake you out of my head.
You bungled your job of living,
Old friend. Can't you even die well?

This is the second long bad night
Since a man in my kind of skin
Murdered Martin Luther King.
We'd have known what to do with him
If he'd tried to kill back at us,
But he wouldn't make it easy:
He asked for what was his by right,
And no more. He made us look straight
At what giving it back to him,
Unforced, would do to us—make us
Change ourselves. We shot him and ran.

By the time you could hang yourself
To death, we were no longer friends.
What are you doing here tonight?
I thought I knew why you did it.
Maybe if I'd thought about you
With full dread but also reached through
That dread into the fuller past
Alive with friendship, instead of
Forgetting you to death . . . You've changed.
Why has the underworld sent you?
Give me the message. I'll take it.
If I learn it right the first time,
Maybe you'll stay away for good.
I hope so, for I'm weak with you.

Don't ever do it again. Please.
I'm standing here at four o'clock
Barefoot in the bathroom doorway,
Afraid to get back into bed
But too cold and groggy not to,
Begging, Never do it again.
My God. Never. Never again.

PRETRIAL PUBLICITY

JURIES AND THE MASS MEDIA

JON R. WALTZ

Even before Gerald Ford announced—with a foresight denied most lawyers and judges, at least until they have polled some prospective jurors—that his predecessor in office could not get a fair trial in the foreseeable future because of nationwide publicity, those Watergate operatives who were required to stand trial had contended that publicity about their alleged crimes would deprive them of a fair hearing. This assertion had a sour sound coming from the likes of John Mitchell, who had done a good bit of sneering at similar claims when he was Attorney

General. But the sort of argument now being made by the Watergate defendants is drawn from respectable precedent and John Mitchell is as entitled to assert it as were any of the people put to trial during his regime.

The first description of the pretrial publicity problem by any important American jurist came in the trial of Aaron Burr, when Chief Justice John Marshall remarked that "light impressions [as to guilt or innocence] which can fairly be supposed to yield to the testimony that may be offered, which leave the mind open to a fair consideration of that testimony, constitute no sufficient objection to a juror; but those strong and deep impressions, which will close the mind against the testimony that may be offered in opposition to them, which will combat that testimony and resist its force, do constitute a sufficient objection [to the seating of a juror]." Since the United States subjects itself to a Trial of the Century almost

Jon Waltz is a professor of law at Northwestern University School of Law in Chicago. His specialty is the law governing the conduct of trials.

annually, there have been examples of publicity-swathed criminal litigations more recent than the Burr episode. Any catalogue of them might pick up with Sacco and Vanzetti and proceed through the Lindbergh kidnapping case; the long list of political prosecutions of the late 1960s and early 1970s; the Richard Speck nurse-murder case in Chicago; the cases of James Earl Ray and Sirhan Sirhan; the Calley court-martial; the trial of Arthur Bremer for shooting George Wallace; and the Henley boy-torture trial in Texas. But the most powerful renewed focus on the problem of pretrial publicity came in an investigation into the conduct of a man who never came to trial: Lee Harvey Oswald, convicted, sentenced and executed by Jack Ruby for the assassination of John Kennedy. Earl Warren's commission concluded that "If Oswald had been tried for his murders of November 22, the effects of the news policy pursued by the Dallas authorities would have proven harmful to both the prosecution and the defense."

Not everyone understands the contours of the problem. That is partly because of the common-sense realization that some publicity-producing efforts by journalists are distinctly advantageous to persons falsely accused of crime. (New York City's Wylie-Hofert murder case is an almost classic example, but others can remember the Gallashaw boy who was acquitted of shooting another black youth during a racial disturbance because two *New York Times* reporters located two key prosecution witnesses in time to hear them recant major parts of their stories.)

Sometimes the confusion results from confusion. For example, Lesley Oelsner stated in a recent *Times* "News Analysis" that "Defendants in . . . famous cases, including Jack Ruby, who killed Lee Harvey Oswald before a national television audience, have been tried and convicted, and their convictions were sustained." The fact is that Ruby's conviction was reversed on appeal, in part because of prejudicial pretrial publicity that dictated a change in the place of his trial. For most people, however, confusion results from a too exclusive focusing on the First Amendment's freedom of the press guarantee. In the context of a *cause célèbre* the First Amendment collides with another constitutional guarantee in the Sixth Amendment, which entitles criminal defendants to an "impartial jury" in the hope that this will be conducive to the "fair" trial envisioned by the Fifth and Fourteenth Amendments' "due process of law" commands. The crucial problem faced by trial judges like John J. Sirica is to decide when he must rule that pretrial publicity has made it unlikely that a prospective juror, or all of them, can assess trial evidence impartially.

For years it has been almost impossible to plan a bar association meeting without including a panel discussion of "Free Press vs. Fair Trial." (During the late 1960s this obligatory exercise was briefly supplanted by debates about "Disruption in the Courtroom.") It therefore surprises some people to learn that the U.S. Supreme Court has itself made only a few attempts to resolve the clash between the right of the media to report the newsworthy and the accused's right to trial by open-minded jurors. Indeed, for a long time lawyers looked to a single decision of the Court for the dispositive test.

That decision, *Reynolds v. United States*, made in 1879, involved a controversial bigamy prosecution in the Utah Territory, where polygamy was not unknown—although one prospective juror, replying to the prosecutor's question whether he was "living in polygamy," replied modestly, "I am only a fornicator." Another prospective juror, who had been reading newspaper accounts of the case, said he had formed an opinion about it. He added, however, that he didn't think this would influence his verdict. Chief Justice Waite commented that "In these days of newspaper enterprise and universal education, every case of public interest is almost, as a matter of necessity, brought to the attention of all the intelligent people in the vicinity, and scarcely anyone can be found among those best fitted for jurors who has not read or heard of it, and who has not some impression or some opinion in respect to its merits." The real issue, Waite said, was whether the juror could put aside his impressions and decide the case only on the evidence produced in court. The challenged juror had said he could screen out his pretrial opinions and render an impartial verdict; that was good enough. And so it stood for more than half a century.

Then in late 1954 and early 1955 half a dozen grisly murders were committed around Evansville, Ind. The crimes aroused great excitement in the area and were extensively covered by the news media. In April 1955, a drifter named Leslie Irvin was arrested and accused of all six killings. Saturating media coverage followed. Newspapers carrying what Justice Tom C. Clark later called "a barrage of . . . headlines, articles, cartoons and pictures" were delivered to approximately 95 per cent of the dwellings in the area, and radio and TV supplemented the press publicity. The Irvin matter became so notorious that a man-in-the-street reporter went about soliciting opinions not only on Irvin's guilt but also on the punishment he should receive.

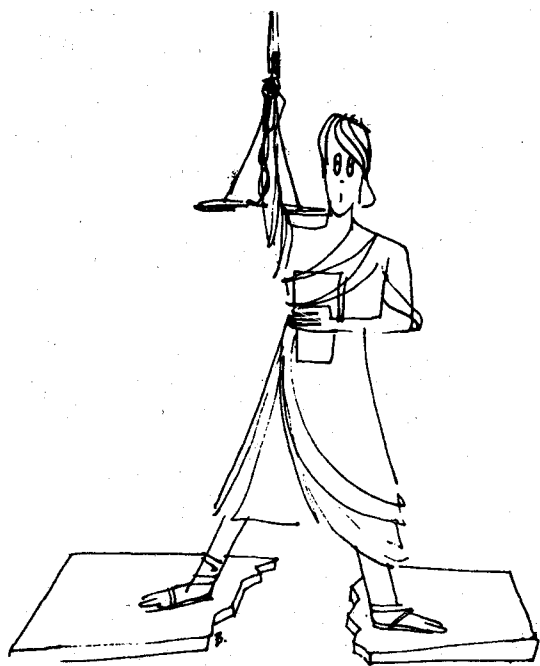
More important even than the fact of this unrelenting publicity was its content. The published and broadcast accounts described crimes which Irvin had committed as a juvenile: a conviction for arson almost twenty years earlier, another one for burglary, and a court-martial conviction for wartime AWOL. The newspapers also announced that he had been identified in a police line-up, that he faced a lie detector test, that witnesses had placed him at the scene of the crimes and that, although Irvin had declined to confess, the murders were now solved. Thereafter the police and prosecutors issued press releases announcing that Irvin had confessed to the multiple murders and to twenty-four burglaries as well. The papers were now describing Irvin as a parole violator, a fraudulent check artist and the "confessed slayer of six." They referred to him as remorseless and devoid of conscience, but emphasized that he had been diagnosed as sane by a panel of court-appointed experts.

Because of the pretrial publicity, Irvin's trial was moved to adjacent Gibson County but no farther, despite the fact that Gibson County had experienced the same degree of publicity. Ninety per cent of all prospective jurors entertained opinions as to Irvin's guilt that ranged in intensity from suspicion to absolute certainty. While

most of these jurors met the technical standard laid down in *Reynolds* by asserting that they could cast aside their preconceptions and render a verdict based on the evidence presented in court, two-thirds of them had formed an opinion that Irvin was guilty before any evidence had been produced. Even more of them revealed familiarity with most of the facts narrated by the news media, including the circumstance that Irvin had been accused of other murders for which he was not then on trial.

On these facts the Supreme Court ruled that "Where one's life is at stake—and accounting for the frailties of human nature—we can only say that in the light of the circumstances here the finding of impartiality does not meet constitutional standards." In other words, sometimes pretrial publicity is so inherently prejudicial that jurors' promises of impartiality must be disregarded.

Part of the *Irvin* decision's significance lies in the fact that the Supreme Court considered the guilt or innocence of the accused immaterial to its holding concerning the poisoned atmosphere in which he had been tried and convicted. Many people need this reminder that we cannot have one law for the guilty and another for the innocent. Unless we hold to an impartial stand on the guilt/innocence question, we cannot hope to know who is guilty and



who is not. Many, perhaps most, journalistic reports as to guilt are accurate (Watergate has been aired by print and broadcast journalists who are at least as good at digging out reliable evidence as are two tablesful of trial lawyers), but often, either because reporters have been misled by overzealous prosecutors or because they have yielded to sensationalizing, the mass media convey an erroneous impression. More important, even, they may publish wholly correct information as to items of evidence which, for reasons deemed good and sufficient by almost all lawyers—prosecutors as well as defense counsel—will not be ruled admissible in court. Our adjudicatory system will truly have entered Wonderland when it denies admissibility to items of evidence in the courts but allows

jurors to get them anyway by way of television and newspapers.

In *Irvin* the Supreme Court searched the record for indications of specific, palpable prejudice to the accused's rights—and found them in abundance. In a few subsequent cases the Court has said that the adverse publicity was so inflammatory and one-sided that prejudice to the accused would simply be assumed. Three prime examples are the first murder trial of Dr. Sam Sheppard, throughout which "circulation-conscious editors catered to the insatiable interest of the American public in the bizarre"; the Rideau robbery-murder case in Louisiana, which was preceded by the accused's televised confession, and the televised trial of Texas swindler Billie Sol Estes.

And so the test, easy to phrase but hard to apply, involves a combination of two considerations: (1) the testimony of the prospective juror regarding his/her ability to act impartially on the evidence produced at trial as viewed (2) against the nature and magnitude of the pretrial publicity. Sometimes, as in the Sheppard-Rideau-Estes trio, but rarely, it will be presumed that the publicity was so smothering and so one-sided that no juror, his protestations to the contrary notwithstanding, could remain reasonably neutral.

Has the law succeeded in devising another of its perfectly impossible problems? Not necessarily. When the possibility of prejudice looms judges can take prior to trial two procedural steps, other than rules gagging the press (not that these haven't been tried), in an attempt to alleviate the threat.

If the threat is localized geographically, a change of venue may be helpful. Motions for a change of venue are commonly made in notorious cases, although one often suspects that defense counsel hopes not so much that his motion will be granted as that its arguably erroneous denial will provide an ace in the hole in the event of a conviction. Postponing the trial—granting a continuance—until the effects of publicity have dissipated is an available alternative. It has two drawbacks, however: it requires the accused to abandon his right to speedy trial and it disrupts court dockets.

It is sometimes suggested that the accused who fears the effect of publicity should waive trial by jury, but that option, even when open, is not a satisfying one. It assumes, not altogether reasonably, that judges will find it easier than lay jurors to throw off the effects of pretrial publicity. Much more fundamentally, it suggests that the accused must forgo one constitutional right (jury trial) in an effort to gain another (fair trial). That is an impermissible bargain.

The approach usually contended for by prosecutors and trial judges treats changes of venue and lengthy continuances as desperation measures. They say that the proof is in the pudding, the pudding being the local citizenry from which jurors will be drawn; the pudding, they insist, should be sampled before being thrown out.

A trial jury is something more than twelve good and true men and women, plucked at random from the surrounding community. It is the product of an often long process of questioning and selection by the court and opposing counsel. Lawyers call this process the *voir dire*,

Norman French for "to tell the truth." During the *voir dire* the trial judge, through his questioning of prospective jurors who are sworn to respond truthfully, simply seeks persons who are qualified under the laws of the jurisdiction to sit as jurors. The two opposing sides seek something more. The prosecution and the defense each attempts to find jurors who can most easily be convinced of the rightness of its own position. This includes spotting jurors who would not let pretrial publicity deflect them from listening to the evidence. After this questioning the juror may be accepted or challenged by the parties (or, more politely, "excused").

Any juror, no matter how many there may be, who has responded that publicity surrounding the case has instilled in him impressions of guilt that he cannot shake off will be excused "for cause." The weaknesses of this device are that many people are reluctant to make public confession of deep-seated prejudice, even when they are fully aware of its existence, and that with some jurors the influence of pretrial publicity may be largely subconscious. Only in Perry Mason reruns does a prospective juror snarl, in reply to artful questioning, that he is incapable of dispassionate judgment. Those whose claims of impartiality are merely suspect can be removed from the jury panel with a peremptory challenge but, unlike challenges for cause, the number of peremptory challenges available to defense counsel is strictly limited.

In most cases it will be possible to impanel a local jury without delay, using the test of the *Reynolds* polygamy trial. In most of the small number of cases in which this cannot be accomplished, transferring the matter to more neutral territory—which necessarily involves a continuance as well—will be a sufficient hedge against bias. But there still remain a few cases left, and they include the Watergate prosecutions. These are the cases in which the scope of pretrial publicity, at least as pervasive as it was in Irvin, Sheppard, Rideau and Estes, is nationwide, even worldwide, so that only a change of venue to the back of the moon would do. They are also the cases in which the publicity is without end, so that no continuance can outrun it. Are these the law's impossible cases?

They *should* be if the adverse publicity was generated, wittingly or not, by the prosecutorial powers, as sometimes happened during John Mitchell's days at Justice. (By the same token, they ought *not* to be when it was the defense itself that first fanned up the hurtful publicity, as was true in the case of Melvin Belli's pretrial derogation of Jack Ruby's Dallas.)

But in this era of saturating news dissemination, events may sometimes force us to re-evaluate the significance of pretrial publicity. They are the events that, aghast, we see unfold on our television tubes as Ruby steps out of the crowd to murder Oswald in front of 80 million watchers, as Bremer shoots Wallace. The re-evaluation I suggest should be realistic, based not so much on rhetorical references to conflicting constitutional principles as on common-sense assessments of the role of jurors and trial judges and lawyers and the circumstances of particular cases.

In speaking of an evaluation of the circumstances of particular cases, I have in mind a frank concession that

some defendants in notorious cases would be well advised to plead guilty and expand every effort in producing evidence in mitigation of punishment. More specifically, the sane man whose unprovoked offense takes place on prime-time network television might as well confess that he did it. No court is going to hold him immune from prosecution because his guilt is all too evident and no rational jury, focusing on the abundance of courtroom proof available to the prosecution, is going to acquit him. The defendant's problem is not really one of publicity, it is that all the world was witness to his crime. I am no traitor either to the law or to the advocate's role when I say that there are times when defendants should bow not to publicity but rather to the known facts giving rise to it.

That leaves genuinely defensible criminal cases that have stirred up adverse publicity. Here we may have given insufficient weight to the sophistication of American juries and their willingness to do what they can perceive with the aid of effective judges and trial counsel to be their solemn duty. The occasional excesses of the very news media about which we have been talking have conditioned the people who comprise contemporary juries not to swallow whole everything they read or hear. And the experience of skilled trial judges and lawyers teaches that jurors, with pointed questions on their *voir dire*, instructions from the bench and closing arguments by counsel, can be inspired to judge cases on the evidence tendered to them in court and on nothing else. It is the task of a trial's professional participants to help jurors screw their courage and their scruples to the sticking point, and most experienced judges and lawyers know how to do it. John Mitchell himself, having been acquitted once by a jury in a Watergate-related matter, is in a position to testify to that.

One final concern: What if the stresses set up by publicity surrounding a *cause célèbre* work against the usual effectiveness of the trial's professional participants? It has seemed to me that the main risk posed by publicity is not that of a direct influence upon jurors' minds but of a loss of the atmosphere that is essential to reasoned adjudication. John Kaplan and I tried to say this ten years ago in *The Trial of Jack Ruby*: "[O]ur legal procedures are not designed for cases where all the participants—the lawyers, the judge, the witnesses and the jury—know that the eyes of the nation are on them. The processes of American justice are designed for administration in relative quiet and tranquillity. . . . The difficult and fundamental problem . . . is that it may be impossible for the United States ever to afford in a case [involving affairs of state] a fair trial if by this we mean a trial not basically different from the usual unpublicized one."

The Watergate prosecutions will give us all a new chance to assess the problems that vex the *cause célèbre*. Those currently going forward in the District of Columbia have already been marked by the bickering and outbursts of defense lawyers and some provocative remarks by the trial judge. Unless these men are strong enough to withstand the pressures and temptations of a "state" case, we may have to start rescheduling those symposia on disruption in the courtroom. □

WBAI'S STORMY ADOLESCENCE

WENDY SCHWARTZ

Thirty years ago, when the world was ablaze with war, a pacifist named Lewis Hill dreamed of creating a noncommercial listener-supported radio station which would allow all kinds of minorities to air their views, unhobbled by the restraints of advertisers and corporate financiers.

There are now four such radio stations under Lewis Hill's umbrella Pacifica Foundation—one each in Berkeley, Los Angeles, New York City and Houston—all struggling in various stages of desperation to keep Hill's dream alive. This article is about one of them, WBAI-FM in New York. It is the "flagship station," has the highest budget, produces the most programs and, in its fifteenth year of broadcasting, is experiencing the full chaos of adolescence.

While Hill's original desire was to provide a forum for all disenfranchised views, the ones most frequently ignored in this country are those on the Left, so WBAI—like all Pacifica stations—has become the radio voice of "the movement." When the station began broadcasting in 1960, the civil rights movement was flourishing. Most liberals were hungry for honest reporting of events and open discussion of left-of-Center politics, McCarthyism having left behind it a dearth of public liberal commentary. For the growing East Coast liberal establishment, the sound of WBAI on the air promised an intellectual rebirth.

As the years went by and the war in Indochina began to dominate the news, people turned increasingly to WBAI for the kind of uncensored reporting the traditional media outlets couldn't supply. For example, in 1965 a WBAI reporter was one of the first Americans to go to Hanoi. As the credibility gap widened, WBAI provided the bridge, not only by reporting previously concealed information but by airing analyses from intellectuals whose opinions were overlooked by the establishment press.

WBAI reached a peak of popularity in those years. But as other events began to overshadow the war, and as reporting by commercial media improved, the station could no longer sustain itself with a single focus. Its uniqueness was wearing off.

In an attempt to recapture old glories, WBAI dispatched correspondents to Ireland, Latin America and the Middle East, to bring back the kind of first-hand accounts listeners had once seized upon. Though the reports were well received, it nevertheless became clear that the public was less than eager to pay for these trips around the globe.

The only aspect of WBAI's broadcasting which has remained constant in both quality and listener interest is its crisis coverage. While commercial stations are carefully weighing the overall value of live coverage of a

Wendy Schwartz was formerly promotion director of WBAI. She is also a contributor to Win Magazine and The Progressive.

Congressional hearing or instant analysis of an important event, WBAI is already swinging into action, setting up microphones and lining up knowledgeable commentators.

During crisis times, nearly 100,000 New Yorkers tune automatically to WBAI, knowing they will hear the best coverage available. This is a compliment no other radio or television station in the city can claim. Its accompanying tragedy, however, is that lately the station has been unable to tempt its "crisis" audience with any of its regular programs.

As interest in the war waned, a new, expanded radicalism was being spawned in America. Myriad liberation struggles arose overnight to protect the interests of every conceivable minority group. People may have heretofore thought a commitment to nonviolence was the extent of their radicalism, and financial support for WBAI's war coverage the extent of their desire for enlightenment; soon, however, they were being asked by a vocal few to fight for the rights of women, gays, Indians, Palestinians and other powerless constituencies. And though the left-wing public hesitated slightly before enlarging its commitment, WBAI surged ahead, documenting the birth and nurturing the growth of each new movement.

That was when the "golden age" of WBAI began to lose its gleam. In addition to in-depth coverage of the various liberation movements, the station offered time slots to movement representatives. In a rush to get new views on the air, the station sacrificed discrimination in choosing those who expressed them. Slowly WBAI began to take on the color of "public access" radio, with blocks of time devoted to the "official lines" of assorted advocates. Programming was unimaginative and commentators had a tendency to whine. Eventually, the audience was reduced to scarcely more than members of minority groups, who tuned in only to hear their own people.

At the same time, WBAI began an attempt to shift its emphasis away from hard news and toward the arts. Lip service was paid to the need to expand the Drama and Music Departments. Members of these departments claim, however, that Public Affairs still receives the major share of the resources. (That is probably true, for the WBAI administration is well aware that, despite the spreading apathy, the evening news broadcast and certain special public affairs programs still draw the largest audiences; and these broadcasts are the ones that win prestigious awards.) The hostility which characterizes the relations among departments is not the least of WBAI's trials.

The WBAI yearly budget is now slightly more than \$500,000, the current debt is \$150,000. About ten years ago, when the debt was one-fourth as large, the concept of a marathon was invented. It consisted of several weeks of round-the-clock requests for contributions and subscriptions (theoretically WBAI is supported by yearly subscriptions, now costing \$30), interspersed with entertainment provided by well-known performers and writers who dropped by the station to lend a hand.

In recent years, the marathons have become longer and more frequent. Fewer "names" participate, so listeners are subjected to constant pitches for money from regular WBAI staffers and volunteers whose energy and creativity don't last anywhere near the duration of the drive.

Responsibility for fund raising has always been a hot potato that is passed from the general manager to the local board to the staff. The board, comprised mainly of wealthy liberals, is responsible for setting the budget and raising money by personal appeals to other wealthy people; it sets its own dollar goals and each member determines the extent of his or her involvement. The staff, by contrast, adheres to a rigid schedule of "pitching for their lives" on the air. And the general manager has the task of creating and overseeing fund-raising programs, doing independent soliciting and staving off angry creditors.

During periods of financial crisis, which are increasingly frequent, members of the board make perfunctory efforts to raise extra cash, and berate the staff for being wasteful with equipment and extravagant with long-distance phone calls. The staff, conversely, takes the board to task for the lack of money for salaries—which have on occasion been two months in arrears—and claims that going on the air "prepared to sell their grandmothers for the price of a subscription" is contribution enough.

The conflict is exacerbated when the board tells the staff that the utilities and rent must be paid before the payroll can be met. While this is true from the standpoint of the station's existence, for its credit rating is low, it means in effect that WBAI is borrowing its operational funds from its staff—the people who can least afford to make such a loan. It is becoming impossible for people who have no other means of support to work for the station.

Despite the low wages and frequent nonpayment of salary at all, the staff has been traditionally conservative about fund raising. In the past, a majority opposed new fund-raising ideas, fearing that organized attempts to increase revenues would start the station down the long slope to Madison Avenue. Conflict over this issue has resulted in a relationship between the general manager and staff as strained as that between the board and staff.

Similarly, demands by some staff members that the payroll be met regularly and that the minimum wage be raised were seen by others as capitalistic, a violation of the WBAI tradition of paying "subsistence" salaries, and a thinly disguised attempt to destroy the station. A long and difficult staff meeting last winter was highlighted by an impassioned plea for adherence to the wage and hour principles fought for by the early labor movement (WBAI was then airing a series of specials on this subject); and the counter-charge that people who require high wages should simply leave WBAI.

Though the clash of opinion ostensibly has to do with salary demands, the crux of the problem lies in the split in the staff between those members with marketable skills and extensive job experience, who consider themselves professionals, and those whose jobs at WBAI are their first and who have no career plans other than to remain at the station at any cost. The mutual contempt of these factions is manifested by wholesale distrust of

each other's views and ideas, and a general atmosphere more conducive to rumormongering and petty sabotage than to creative broadcasting and effective fund raising.

But though disagreements on principle among staff members do much to promote demoralization at WBAI, lack of money is an even more effective crippler of enthusiasm. Lack of equipment and of qualified personnel to operate what there is has led to a lowering of standards and a less than professional approach to broadcasting.

Like many movement organizations with small budgets, WBAI relies on volunteers to back up its core staff. Some of them genuinely appreciate an opportunity to learn the technical aspects of broadcasting or to help the station function smoothly. Others, however, are merely hangers-on of the sort that frequent movements because they believe the Left can alleviate their personal problems. Volunteers usually hope that, if they stay at the station long enough, they will be put on the payroll, and history has borne out their hope. In fact, the practice of hiring volunteers has resulted in a staff with a median age of about 25. The almost maniacal anti-professionalism that pervades the station is sustained probably by the understanding that, if people were hired for their skills, volunteers would never elevate themselves to paid personnel.

Another result of extensive reliance on volunteer labor is that free access to the station makes rip-offs easy. Expensive recording devices disappear with alarming regularity; even toilet paper is stolen as soon as it is put in the lavatories.

A long-time WBAI staff member, Steve Post, recently wrote of his experiences at the station in *Playing in the FM Band* (Viking Press). His witty, caustic comments about the operation of the station belie the seriousness of its problems. While the tale of how he, a man who cannot add, was hired to be WBAI's bookkeeper is amusing; after the readers stop laughing they realize just how deeply the roots of inefficiency are planted at WBAI.

WBAI has just emerged from a serious re-evaluation, during which a new direction for the station was theoretically found. The appraisal resulted in a paid staff two-thirds its former size; discontinuation of the *Folio*, the monthly program guide for subscribers; and the addition of some volunteer producers who will create new programming and revitalize the holdovers. It can only be hoped that those slashing the budget will wield their knives with skill; if they do not, the present cycle of poor-programming-yields-fewer-contributions will continue until the station is bankrupt.

The administration is obviously confident that WBAI can recapture its former position at the vanguard of radio broadcasting in New York City. But it is overly optimistic if it believes that a single set of new objectives and policies can restore the enthusiasm that once infused the station, and rekindle the listeners' desire to tune in. At the least, however, it appears that the myth that vital programming will emerge organically from good "vibes" and institutionalized disorganization has been laid to rest.

So for a while longer, Lewis Hill's dream will survive, and the hope will exist that once again WBAI can chronicle, even inspire, the important social and political movements of the 1970s. □

BOOKS & THE ARTS

Another Work of 'Unpermitted Literature'

HOPE ABANDONED. By Nadezhda Mandelstam. Translated by Max Hayward. Atheneum Publishers. 687 pp. \$13.95.

ROBERT P. HUGHES

That Osip Mandelstam is a poet of genius and a lyric voice of international stature is now a fact of 20th-century literature. It is grudgingly acknowledged at home in the Soviet Union,* and with the wonder and delight abroad that might accompany the emergence of some new Atlantis from under the sea. All this is happening in his fourth posthumous decade, as his poetry is finding the readers he so confidently predicted would appear. In his lifetime he was hounded and hunted by Stalin's bureaucrats, and in 1938 he died a victim of the dread secret security apparatus in a Soviet prison camp 4,000 miles from what was once a center of the European culture and tradition he had so desperately tried to maintain.

The remarkable woman who is the widow of this man is a literary child begot in his death by her martyred husband, and her paternity is clearly established in the two books of memoirs she

* To considerable surprise, a collection of Mandelstam's poetry, in the prestigious Poet's Library series, was finally published in Leningrad in late December 1973. This was the first volume of his collected verse to appear there since 1928, and it had been announced for publication several times since the late 1950s. It was printed in a miserly edition (for the Soviet Union) of 15,000 copies, most of which, it is said, were intended for export. The volume is prefaced by a painfully inadequate and even dishonest essay by Alexander Dymshits: the poet's three-year exile between 1934 and 1937 is concealed in the sentence, "After a brief sojourn in Cherdyn-on-the-Kama he settled in Voronezh"; the tragic end of his life is covered by, "In 1937, Mandelstam's creative path broke off. The poet died at the beginning of 1938." (Incidentally, other sources, including official ones, list the date of death as December 27, 1938.) This Soviet edition includes 289 poems, and predictably excludes many poems with religious or political motifs and themes. The monumental edition published in the West by Gleb Struve and Boris Filippov contains more than 500 poems. The annotations of the Soviet editor, Nikolai Khardzhiev, however, are of prime importance, even though he has chosen (been forced?) to remain silent about Western publications and makes no direct mention of the memoirs of the poet's widow.

has produced in her old age. (The first appeared in Russian and was translated into English as *Hope Against Hope* in 1970; the two volumes are not of course published in the Soviet Union, but they circulate clandestinely in *samizdat*.) Her writing stands in close relation to her husband's scintillating and caustic "Fourth Prose" (1930), a restorative and self-liberating counterattack on his vilifiers and ideological opponents. In it he proclaims: "I divide all works of world literature into the permitted and those written without permission. The first are slime, the others stolen fresh air. I want to spit in the face of writers who write the stuff that's sure to be permitted, I want to beat them over the head with a stick. . . ." So does Nadezhda Mandelstam, with all the truly righteous indignation she has accumulated in her 70-odd years. Some would deny her this privilege, and her free-wheeling, wide-swinging, hard-hitting manner is more than many think appropriate in the circumstances.

A characteristic chapter is the one entitled "The Functionary," typical in its sharp observation and analysis of the means by which Soviet writers are held in check and the process by which the immense quantity of "literature-to-order" is engendered, the phenomenon so abominated by her husband. Effective control is exercised from above by the appointment of an army of editors, the "commanders" of which are the alleged ultimate repositories of truth. Given their precarious existence, few of these functionaries are capable of risking their position and possibly their lives for the sake of the intellectual freedom of others.

Names are named. Mrs. Mandelstam's example of a functionary is a Soviet literary heavyweight, the late Samuil Marshak, translator from the English (among whose works are the frequently reprinted versions of Shakespeare's sonnets which she calls "commonplace") and a widely read poet for children; more sinister was his long record of activity in official literary organizations and publishing enterprises. Another Soviet literary hero whom she polishes off is Maxim Gorky, who in his capacity of ration allocator soon after the revolution once refused Osip Mandelstam a pair of trousers for the reason that the poet's amount of knowledge did not entitle him

to them. But such are not the important targets, for few will rise to defend figures like these. Readers will bristle rather at her accounts of the political and ethical shenanigans of the cultural demigods long venerated in higher intellectual circles.

The author's treatment, for example, of Vyacheslav Ivanov, the enormously erudite *doyen* of the second generation of Russian Symbolism, is bound to provoke controversy among literary scholars. She entertains serious doubts about the Symbolists' search for a synthesis between Christ and pagan religions, and their sophistical mixing of concepts she sees as a dangerous 19th-century game. Ivanov's exalted notions of poetry and the theurgic function of the poet are not only dismissed by her (following her husband and his Acmeist colleagues), but she remarks more ominously on the origin with Ivanov and the Symbolists of the "idea of artists receiving orders from society which was so eagerly taken up in the 1920s by various 'activists' in the arts." In her view, their dream of a future "organic era" when the longed-for links between the intellectuals and the people would be realized leads directly to Socialist Realism. The continuity she finds will not please those who see the pre-revolutionary cultural renaissance as a golden age of art and thought.

There is a vivid portrait of the faintly absurd cult figure of Maximilian Voloshin in his Crimean retreat, clad in his Roman toga, surrounded by admirers, mostly female, and pontificating on the greatness of art. Characteristically she catches herself, noting that she has descended to ill will, story-peddling and poking fun, and she recalls that people are only mortal. But she soon forgets these strictures, and in the case of Vladislav Khodasevich can allow her lack of admiration for his work (both the "bilious prose writings" and his poetry: "inspired mainly by negativism and nonacceptance of life, there is a bitter infirmity of spirit about it") to color her account of the sickly poet abandoning his silly devoted wife to emigrate to the West in the company of another woman.

There are some who would say that her own negativism, her severity of judgment are too pervasive. I think not. A really extraordinary loyalty and love

suffuses the pages devoted to Anna Akhmatova and her first husband, Nikolai Gumilev, who was shot in 1921 as an alleged member of a counterrevolutionary organization. These two were Mandelstam's associates in Acmeism, and they comprised two-thirds of "The Three," the "we" of a tiny community in which he could survive in a hostile environment and disintegrating society. As the author herself puts it: "I am quite convinced that without such a 'we,' there can be no proper fulfillment of even the most ordinary 'I,' that is, of the personality. To find its fulfillment, the 'I' needs at least two complementary dimensions: 'we' and—if it is fortunate—'you.'" (That "you" of course is the second person singular, and it was the role filled by Nadezhda Mandelstam in the life of Osip Mandelstam.)

The author limns, in strokes as incisive and vivid as those in which her husband is depicted, a portrait of their closest friend, a third of "The Three," Anna Akhmatova. In this instance, too, certain romantic admirers are going to be distressed by occasional glimpses of feet of clay. Her royal air, her "youthful egoism, a passion for success, and a certain gay abandon," her ambiguous sexuality, her testiness and violent temper long before and during her old age, her jealous desire for the admiration of younger poets—these are features that round out the picture of a woman who was both a great poet and a less than perfect mortal. There was a time when the infatuated young Mandelstam was dismissed from the presence, but the close relationship was re-established in the mid-1920s and included the poet's recent bride. It is clear that the long-term friendship was a truly sustaining one for all three. Their interdependence—in the dark years of Osip's arrests, imprisonment, exile and deportation, and the years in Tashkent when the two survivors preserved in memory and on hidden scraps of paper the corpus of Mandelstam's writing—is a poignant story indeed.

There were other women in the poet's life, and his widow manages to discuss them in fairly dispassionate terms. The affairs were short-lived, and two of them gave rise to two of the finest love poems in the Russian language ("Because I could not keep your hands" and "Master seamstress of guilty glances"). Another youthful infatuation is discussed in generous terms: his brief encounter with the temperamental Marina Tsvetayeva in 1916, which inspired in both of them cycles of really splendid poetry. In his

Robert Hughes is associate professor of Slavic languages and literature and comparative literature at the University of California, Berkeley.

wife's opinion, Mandelstam's poetry took a new direction after the incident. "Bestowing on him the gift of her friendship, and of Moscow, Tsvetayeva somehow broke the spell which Petersburg had cast on him. It was a magic gift because with only Petersburg, without Moscow, it would have been impossible to breathe freely, to acquire the true feeling for Russia and the inner freedom of which M. speaks in his article on Chaadayev."

The personal details in which the book naturally abounds are fascinating in themselves; the light they shed on a splendid body of poetry is of singular importance. However it should be clear that the value of Mrs. Mandelstam's work is not limited to background information for students of her husband's poetry. Historians of the Soviet regime and sociologists too will find here the imaginative application of a mind uncorrupted by the system, harsh and uncompromising in its analyses and judgments.

The danger that the reader may lose his way in a welter of unfamiliar names and in the tangled undergrowth of Soviet literary politics—especially given the author's discursive approach—has been met by the elaborate framework provided by the able scholar and veteran

translator, Max Hayward. His Foreword discusses this book's relation with the first volume of memoirs, and it also takes issue with some of the author's more debatable statements. His Chronology puts Mandelstam's life and career in the context of Russian and Soviet history and of the major literary events of the period. There is furthermore an unusually reliable section of "Notes on Persons Mentioned in the Text" and a brief "Note on Literary Movements and Organizations." The volume is rounded off by a detailed index. All in all, it is a very responsible job of presenting complicated material to a wide audience.

For anyone who has reveled in the racy Russian idiom of Nadezhda Mandelstam, however, the translation will strike him as a bit bloodless. There are a few questionable translations such as "venerable maestro" for "maître" (about Valery Bryusov). And it is disturbing to lose one of the author's most telling images: what is translated as "glass cage" might be rendered more precisely as "bell jar," the controlling metaphor for an all-important chapter describing life in the Soviet Union and related directly to Osip Mandelstam's ever increasing difficulty in breathing, in both a literal and a figurative sense. □

The Backfiring Political Trials

PERVERSIONS OF JUSTICE: The Prosecution and Acquittal of the Panther 21. By Peter L. Zimroth. The Viking Press. 423 pp. \$12.95.

THEODORE I. KOSKOFF

Political trials have not gone very well for the prosecution in the United States in recent years. The Chicago 7, the Panthers, the Gainesville 8, the Berrigan Brothers, Ellsberg, Angela Davis, and the Soledad Brothers trials all resulted either in outright acquittals or, in a few cases, conviction for lesser offenses. For those who are concerned about political trials, who want to know why the government and state prosecutors have fared so badly in them, they may read the answer in Peter Zimroth's fine work on the trial of the Panther 21.

On September 18, 1974, the Associated Press carried the story that Atty. Gen. William B. Saxbe had ordered a Justice Department review of the proceedings during the Wounded Knee trial. A department spokesman said that Saxbe

"does want a study of political trials," adding that "the government hasn't done too well, he wants to see what has been going on."

What is truly remarkable in the statement is that this is the first time that the government or the Justice Department has admitted that there are political trials in the United States. The Justice Department review was instituted after the prosecution and the FBI were excoriated by U.S. District Judge Fred J. Nichol for their outrageously unfair and dishonest prosecution tactics in the Wounded Knee case. These, of course, are "perversions of justice" that are common denominators of political trials generally.

Courts are mirrors of our times. The polarizations of society that result in political trials find their way into our courtrooms. The courtroom is not an antiseptic operating room for justice. It is not a vacuum from which tensions, prejudices, attitudes, excesses and "perversions of justice" are excluded. Zimroth's book points this out very well. It is the recognition of this fact of courtroom life that must have led Kingman Brewster to make his famous comment

Theodore Koskoff was the trial counsel in the first Black Panther case in New Haven, State v. Lonnie McClucas.

concerning the Panther case, that he "doubted whether a black revolutionary could get a fair trial in the United States."

Perversions of Justice documents the fact that Brewster was at least partially correct. As Zimroth points out, "By the end of the trial, the prosecutor had convinced most jurors not that the defendants were dangerous, but that the District Attorney and Judge were. They were part of a law-enforcement community which wiretapped, bugged, infiltrated political organizations, spied on political meetings, 'developed' informants, entrapped, provoked, gathered dossiers, created paranoia and 'tappanoia,' tried to lasso the Chicago 8 and Father Berrigan in the 'conspiracy net,' raided Panther headquarters, killed Hampton and Clark, and tried to destroy dissent in general and the Black Panther Party in particular. These jurors saw the prosecution as part of the history of government repression; and they did not want to be part of that history." Of course, the saving grace of the system in this case was the jury—the people—who just wouldn't go along with state-inspired subversion.

As Zimroth says, the nature of the trial was such that jurors seem to have transformed themselves into "defense counsel, searching for doubts and inconsistencies." (It is, of course, the duty of the jury to look for doubts and inconsistencies.) And one often overlooks the fact of just how perceptive jurors are. The author's discussion with one of the jurors in this case illustrates this. The juror said, "Black people needed a better self-image—and a rebellious group like the Panthers helped." This is a notion many people in and out of the ghetto share.

It may very well be, as the author suggests, that "a criminal trial is designed to answer some very narrowly focused questions about guilt or innocence." But, one must ask, "guilt or innocence" of what? If we remember the temper of the times during the trial of the Panthers—the Vietnam War controversy at its height, the ghettos burning, the campuses ignited by the sparks, government repression of dissent at a virulent level—Zimroth's notion that "a criminal trial simply cannot sustain wide-ranging inquiries into moral or political philosophies and preferences" may not be quite accurate. For, as the author himself points out, starting with the wording of the indictment it was the prosecution which generated the political nature of the trial. It was the prosecution that started the propaganda war. It was the goal of the prosecution to stifle dissent and destroy the Black Panther Party. Despite the deficiencies of the system in its choice of prosecutor and judge, these goals were thwarted since the jury made the system work. Indeed, as I have sug-

FROM THE HEADLAND

*Barefoot from the headland,
back along the beach
past sand dollars,
homeless,
their lives half under sky
half under water . . .
they glitter
black lights at the flood.
Radios watches glasses
go out with the old sand
and children will ride
canoes on the new water.*

Anne S. Perlman

gested earlier, the courtroom has been seen to work in most of the other political trials as a defender of the rights of the accused to the point where, in some cases, because of the political excesses of the prosecution, the jury has either nullified the crime or, as the author himself says, simply would not be a part of the history of political repression. Under these conditions, it may even be that the courtroom is not merely the best place to try political issues but the only place.

The history of political trials in recent years seems to indicate that in some respects they are fairer than other types of trials. Whatever the inadequacies in a given case of one part of the system in such trials, another check on the system has generally brought about a fair result. Sometimes it has been the judge who rescued the system, but most of the time it has been the jury. Even the white hot light of publicity on political trials seems to help. The black revolutionary does better with a highly publicized, revolutionary case than the ordinary black man does on a day-to-day basis with the judicial system. This seems to be an argument for greater monitoring of and attention to the "lower" or inferior courts of

the nation. Indeed, if television cameras were introduced into these courts, the public wouldn't stand for what they'd see.

Zimroth's book points up the fact that though the defendants may do well in the judicial process, one should not forget the terrible injustices political trials generate that are not redeemable in any way. With excessive bail and resultant incarceration, as in the case of the Panther 21, defendants were imprisoned for long periods of time without recourse to any remedy until they were acquitted. Even more significant is the fact that though the state might lose the case, the trial might partially accomplish its political purpose. Multiple trials of the leadership of the Black Panthers and the resultant financial drain resulted in the almost total destruction of the party. In the end, the state was able to stifle dissent in this fashion.

Zimroth's criticism of the "ability of the defense lawyers" in this case seems to me to be a little unfair. These lawyers couldn't have done too badly, for the defendants were acquitted. In addition it should be pointed out that political prisoners have difficulty getting lawyers. (This is, of course, in contrast to the government, which has plenty of lawyers.) They are always without funds and their causes are "unpopular." They are largely dependent for their extraordinarily time-consuming defense on the largesse of lawyers, mostly young lawyers, who are committed to the precept of Holmes that they become "involved in the agony of their times." This situation is manifestly unfair and should provoke some reaction on the part of the organized bar. Those lawyers who represented the Panther 21 should be honored and commended for their dedication. Burke said that "evil grows because good men do nothing." These young lawyers did something about evil. □

Marriage of Poetry and Painting

THE ILLUMINATED BLAKE. *Annotated by David V. Erdman. Anchor Press/Doubleday. 416 pp. \$25. Paper \$7.95.*

LINCOLN KIRSTEIN

At a time when there is little of absolute quality for which to be grateful, it is in positive gratitude that one receives a big work of absolute visual and scholarly excellence, celebrating a body of original material of a veiled if primary order. The engraved, printed and hand-colored books of William Blake are scarcely unknown,

but heretofore they have not been readily available in their entirety, nor with a consistent, consecutive or comprehensive commentary which, as here in depth, makes their strange and sacral landscape immediate and legible to dedicated readers. In a volume of exemplary proficiency and economy, Dr. David Erdman, professor of English at Stony Brook, and editor of publications for the New York Public

Lincoln Kirstein is General Director of the New York City Ballet. He was tutored at Harvard by S. Foster Damon, a leading Blake scholar.

Library, reproduces every plate in all of Blake's seventeen canonical volumes, with variants, in their original size, lacking only that color which would have made the price prohibitive.

Studying, even scanning or skimming through the multitude of forms of Blake's exalted pamphleteering in their previous republications, one was frequently defeated by the difficulty of transcribing his cursive writ. With attention, the import of his calligraphic urgency was more or less possible to adumbrate. However, it was harder to make sense of the symbolized philosophy or political cosmology, the idiosyncratic mythology and personal iconography in their author's baffling, miniature script. Blake declared, "I must make my own system or be enslav'd by another man's." The price of his freedom has been our confusion. Few will have had the fortitude to follow the specialists' eyes of Foster Damon, Geoffrey Keynes or David Erdman, step by step through the half-mad (or obsessed), more-than-sane strophes of a giant artist and poet who knew himself as being intimate with the essence of Divine Grace. Faced with so fierce a fount, it is only natural to be daunted. With no shyness whatsoever in the face of such revelation, Dr. Erdman conducts us through a mystic maze as if we were infants, willing to open our mind's eye.

What is most fascinating in his presentation is the page-by-page illumination of "illumination." Blake was among the last heirs of the ancient tradition of monastic book decorators. Dr. Erdman shows how even the slightest graphic indications explain as well as adorn his texts. Margins of medieval manuscripts were tiny playing fields upon which random if sober sportiveness alleviated the grandeur of full-page miniatures, those microscopic murals exhibited this October in capital examples in New York City, at the Morgan Library and the Metropolitan Museum. Erdman has a surgical eye for Blake's seemingly accidental doodling, squiggles and curlicues, which all turn out to be apposite signs—grapes, snakes, flying creatures. That laser beam uncovers layer upon layer of visual puns and conceits. His effort is inexhaustible in penetrating the strata of Blake's incredibly prolific and far-finding visual and verbal imagery.

Often, even in the most polished of Blake's ambitious paintings, as well as in the bulk of his gnomic utterance, we can be put off by a trenchant awkwardness, a stubborn bluntness rising out of monumental self-assurance. His instruction was from On High; it was not for him, or for us, to question niceties of stylistic expression. There is a coarseness in formal rendering, and further, a magniloquent naiveté of speech rarely evident in his

prime models—engravings after Michelangelo or Fuseli; in words, the Authorized Version. But in his Engraved Books, here reproduced with integrity and completeness, awkwardness is transmuted into metaphysical candor, bluntness into energetic, even blinding conviction. However prosy, prolix, diffuse or obscure Blake's testaments, his visual gloss, as here explicated, becomes clear as a chalk-talk to an audience of amateurs, who can understand (if they will) a wholly novel language which is at once poetry, political reflection, myth and visionary design.

Erdman has naturally benefited from the huge bibliography of Blake studies developed over the last fifty years. It is curious to consider that when, at Harvard in the 1920s, S. Foster Damon published his magisterial study of Blake's symbolism (with no help from the university), such a subject was considered outlandish, beyond the purview of academic discretion. Despite the enthusiasm—or perhaps because of it—on the part of such unacademic votaries as Swinburne and Yeats, Blake was then barely admitted to the Pantheon of British poets or painters. Following the promulgation of general theories springing from Jung's investigation of "the unconscious," alchemy, comparative religions, symbology and the specifics of individual and collective cosmologies, Blake has increasingly come to serve as a touchstone for magical, uncommon common sense. And it is a key paradox that the lovely chapbooks produced by his wife and himself, a project fondly calculated for mass production and general appeal, were so exquisite in their execution that their quality was from the first prized by connoisseurs—

and that, rare as they may have been in bookshop sale, so many have survived in all their blazing variety of inking and coloration.

To those thousands of English literature students who annually fight their glazed way through the verbiage of Spenser, Milton, Dryden, Wordsworth or Tennyson, consoling themselves along the road with the transparent beauties of brief passages or short poems, Blake's Prophetic Books are also a daunting barrier. But, as viable here as if just dropped from his fleshed fingers, "Songs of Innocence and Experience" becomes a fresh, unexpected and awesome adventure. The mélange or collage of sight, sound and sense, epitome of a magnificent morality, glows with his hopeful sanity and sweetness. Here there is no obfuscation, no private mysteries demanding uncovering or translation. The advantage of this heavy accumulation of graphic illustration, even undigested in its particulars, is that it provides a marvelous view of Blake's method, orthography: seeing, thinking, feeling. In the purest domesticity of village craft, in the clean atmosphere of Blake's house, shop and garden, was reborn a line of book illustration which would be expanded but seldom refined by the pre-Raphaelites, from William Morris through Burne-Jones and Beardsley. Blake's handwriting is intimate, rustic, rough in its elliptical elegance and eloquence. Page after page of carefully formulated letters in their layered verse speak with evocative super-realism, as much by short-circuit as by rational reading. This is a volume to cherish in expectation of patient exploration, when Yeats's "fascination of what's difficult" brings its grand rewards. □

'Money Is a Kind of Poetry'

ROBERT LEITER

The American Poetry Review, edited in Philadelphia, began nonprofit publication in November of 1972, and since then has led a precarious economic existence. Its editors, Stephen Berg, David Bonanno, Arthur Vogelsang and Rhoda Schwartz, poets all, work a five-day week without pay. To quote *Philadelphia Magazine*, *The American Poetry Review*'s "press run is 42,000 per issue. Of those, perhaps 20,000 copies are sold. It costs \$12,000 to put out each issue, and each issue brings a net return of about \$7,000." The Coordinating Council of Literary Maga-

Robert Leiter is a writer and critic living in Philadelphia.

zines has given *The American Poetry Review* a grant-in-aid; but this is a brief respite. Well aware of the risks they have taken, the editors have adopted Wallace Stevens' phrase, "Money is a kind of poetry," as part of their ad campaign.

The first issue of *The American Poetry Review* was calculated to dazzle, and did its job admirably. Allen Ginsberg, Norman O. Brown, César Vallejo, Philip Levine, Richard Wilbur, Denise Levertov, Marvin Bell, Pablo Neruda and David Ignatow were a few of the contributors. A portion of the magazine's identity was set by its regular features: columns by Donald Hall, Joyce Carol Oates and Diane Wakoski; a challenging, inventive series of discussions centered about teaching poetry in the classroom; and the volu-

minous special poetry supplements. The contributors signified an unorthodox blend of styles and attitudes, a characteristic of the journal that has been deliberately cultivated.

Foreign poetry in translation has proven a high point. William Arrowsmith, whose "Indian Speeches" appeared in the second issue, followed suit with his translation of the poetry of Cesare Pavese. Pavese is considered one of the finest 20th-century Italian writers, but his poetry, an integral part of his output (he was, before his suicide, a novelist, poet, essayist and prolific translator of American literature—Melville and Faulkner being special favorites), has appeared in mistranslated bits and pieces. Arrowsmith, in a sizable selection, conveys Pavese's complex sensuality.

Besides presenting little-known foreign writers like Yannis Ritsos, Nicanor Parra and Fernando Alegria, *The American Poetry Review* has published "the first American" version of Rimbaud's *Illuminations* by Bertrand Mathieu and a new translation of Rainer Maria Rilke's *Duino Elegies* by the young American poet, A. Poulin, Jr. If Mathieu's work tries too diligently to be a consciously "contemporary" American translation, his introductory notes clarify several major points about the source and sequence of the forty-two "Illuminations." And A. Poulin, Jr. has translated Rilke's cycle in a relaxed manner, a bit soft-edged but effective nonetheless.

As if poetry were not enough, the *Review* has published Stanley Romaine Hopper on Edward Albee's *Tiny Alice*, Robert Coles on the Spanish-speaking peoples of the Southwest, the late Harvey Swados on politics, and James McConkey on the letters of Anton Chekhov.

A failing of *The American Poetry Review* is that its translations and essays have proved more striking than any original poetry it has yet published. In the special supplements, the *Review* has devoted 6 to 7 tabloid-size pages to major works: Richard Hugo's *Letters to Friends*, César Vallejo's *Trilce* and Yehudi Amichai's *Songs of Jerusalem and Myself*. But the materials of the supplements remain portions of larger works, dazzling, though incomplete, and tending to dwarf the surrounding, less assuming poetry.

Another failing is *The American Poetry Review*'s inbred nature. Since Volume Two, Number One, the magazine has permitted its regular columnists and guest contributors to have at one another. Donald Hall, in speaking of Joseph Brodsky, said that the Russian poet-exile, now at the University of Michigan, "confounds the academic liberals and radicals. A Russian liberal

must become an American conservative. He is for Nixon, he defends the Vietnam War," an assertion that incensed Denise Levertov, an associate editor of the magazine. She denounced Hall and Brodsky and dissociated herself from *The American Poetry Review*. In Volume Two, Number Five, Adrienne Rich lambasted Robert Lowell's *The Dolphin*. She contended that by including several sections from the letters of his former wife, Elizabeth Hardwick, Lowell had committed "one of the most vindictive and mean-spirited acts in the history of poetry." She too resigned. In the next issue, Don-

ald Hall reiterated Rich's sentiments. Then Allen Williamson, in a letter, took Rich to task for what he believed was "an attack on Lowell" based "on ideology and sexual prejudice." Thereafter, Robert Bly, discussing "The War Between Memory and Imagination," criticized Harold Bloom for his *The Anxiety of Influence*, Daryl Hine for his editing of *Poetry Magazine*, but most especially Richard Howard. Bly believes that Howard's criticism has gotten "steadily worse" since the appearance of *Alone with America*, and that the critiques Howard has written for *The American Poetry*



NEW DIRECTIONS

ALAIN

The Gods. The French philosopher's exploration of the universality of religious ideas. "...high time a work of such imagination and breadth was translated into English" (*Kirkus Reviews*). Tr. by Richard Pevear. Cloth, \$8.95; Paper, \$3.95

ANTHOLOGY

New Directions 29. Controversial, experimental, innovative prose and poetry from America and abroad. \$9.95; \$3.45

EDWIN BROCK

Paroxysms. Wry, satiric verse and mischievous drawings poke fun at the "ISMS." \$5.95; \$2.25

FREDERICK BUSCH

Manual Labor. A novel. "Busch understands the sharp, devious, and nightmarish tensions of marriage. He labors brilliantly to shape these into a memorable, suggestive pattern."—Irving Malin. \$8.50; \$3.95

ERNESTO CARDENAL

In Cuba. Fascinating account of Castro's Cuba by Nicaraguan poet/priest. Tr. by D. D. Walsh. \$10.50; \$3.95

EZRA POUND

Gaudier-Brzeska. Poundian memoir of the brilliant sculptor. Illustrated. First paperbound edition. \$3.25

Please request complete catalog

NEW DIRECTIONS 333 SIXTH AVE. N.Y. N.Y. 10014

Review are "a disgrace." Obviously, the editors are open-minded, but such infighting takes its toll. Even Robert Bly tires of it. His discussion of "The Network and the Community" includes a lecture directed at *The American Poetry Review*: "Most of the gossip and articles on poetry in *APR* are some form of carbon dioxide, and it needs more fresh oxygen." It is difficult to agree with Bly's suggestions for producing said oxygen, but his point is valid. Literary incest leaves little room for fresh air. The fault cannot be wholly placed with the editors. They are in an economically constricting position, and when funds are low, one beseeches friends for support. The editors have reported that "it is often the fate of magazines devoted to poetry that sufficient money and staff are unavailable. *APR* needs more of both to survive and to serve its contributors and its audience conscientiously." Financial backing might just be the needed oxygen, opening the gates for new voices, new poets. *The American Poetry Review*, along with *Fiction* and *The Iowa Review*, is the finest journal to appear in several seasons. Its potential is immense, its problems many. It would be a mistake to allow the *Review* to expire for want of a helping hand. □

THEATRE

HAROLD CLURMAN

In *Equus* Peter Shaffer has conceived something like a detective story with philosophic implications (Plymouth Theatre). The detective story—in which the "detective" is a psychoanalyst—is brilliantly crafted, handsomely written and unusually compelling.

The salient feature of the play's craft is its construction. The stage is as bare as a surgical arena. Around it are several tiers of seats on which student members of the audience are placed, as if observing a lecture-demonstration. On the left and right sides, close to the observers, are seated the play's characters; they leave their positions only when the script calls upon them to enact their parts in the drama. A battery of powerful lights shines down on the platform to lend the proceedings an atmosphere of scientific precision. Horses play a crucial role in the story; actors are clearly visible within the horses' heads of gilt metal, and their hoofs of similar material not only give them great height but contribute an ominous effect by the clatter they make on the burnished wood floor.

Very few props are employed; the scenic style is generally nonrealistic except, curiously enough, when a boy and girl of the play set about to make love, at which time they are seen in total nudity. While the overall impression is one of severe functionalism, an air of spectacle, of *theatre*, obtains in which dramatist, actors and director display their skills with gratifying aplomb.

Alan Strang, a youth of 17, has gouged out the eyes of six horses; he is saved from prison by an intelligent woman magistrate who insists that he be put in the care of Dr. Dysart, a psychoanalyst, who may discover the cause of the boy's insane act and thus cure him. By a slow process of discovery—confrontation with the boy, who at first responds to questions asked of him by singing television advertisement slogans; meetings with the boy's parents; the use of truth pills, etc.—the inner story is artfully unfolded.

Though his mother was a schoolteacher and his father a printer, Alan is semiliterate. There is something of a "Parsifal" about him, all instinct and juvenile candor. Mrs. Strang is a religious woman; her husband, a Socialist and atheist, strongly objects to his wife's religious bent. She had once put up an image of the Crucifixion in Alan's bedroom—a rather lurid one, she admits. He had become fixed on the sight of the suffering in the picture. His father, appalled on seeing Alan kneel before it in an attitude of prayer, tears it down and replaces it with the picture of a horse. Alan comes to regard this new image with some of the same fascination and sense of worship that he had brought to the previous one. The horse, with a bit in its mouth and a steady stare of bafflement and powerful rebellion, exercises a magnetic effect on him.

One day on the beach when Alan is 10, we learn in a flashback, a man splendidly mounted on horseback almost runs him down. Alan is scared, so the rider, to assuage his fear, invites him to join in a ride behind him. Mr. Strang happens to see this and angrily pulls Alan from the horse, reproving the rider for having endangered his son. (Mr. Strang's interference at this moment corresponds with all the repressions to which he has subjected Alan, including the removal of a television set which Alan, in his withdrawal into solitude, loved to watch.) After Mr. Strang's departure from the encounter on the beach, in which the horse's mouth has been injured through a sharp pull on the bit necessitated by his father's sudden intervention, Alan in a gesture very like an embrace "consoles" the horse, and the animal responds in a movement of its head toward Alan resembling a kiss. This vision of the boy and the animal "kissing" re-

peats a previous flashback which might be taken as the play's insignia.

After he has worked for a while in a dull shop, a young girl employed in a stable invites him to join her there as an apprentice. He eagerly accepts and is quick to learn. But at night, secretly, he occasionally takes one of the horses called Nugget out for a wild dash, an excursion which fills him with almost erotic joy, although it was thought that after the episode on the beach he never rode again.

The girl is attracted to Alan. She asks him to take her to see a porno movie—which neither of them has ever before attended. Ironically enough, they discover Alan's father there, and he pretends he has come to investigate and protest such exhibitions. Alan and the girl go back to the stable where, both sexually aroused, they are about to make love. Alan feels he is being watched by the horses, as it were, censoriously. He very much wants to go through with his love-making but the suddenly insistent beat of the horses' hoofs in their stalls, which sound as if they were threatening him, shatters his desire. It is then that he grabs a sharp instrument and blinds the horses.

What is the meaning of this queer tale? Dysart's own situation provides the answer. He is unhappily married but is still bound to his boring wife. Enamored of Greek art and ancient lore, his medical practice does not permit him freedom to follow his bent. Like most other "normal" (or socially conformist) people, he has been frustrated from fulfilling himself in his most personal need. So as a parallel instance we see Alan's savage gesture as a contradictory outburst against the repression of his deepest instinct for worship—which many would consider abnormal. Alan was unable to consummate his fleshly urge for the girl because of his more fundamental devotion to the (symbolic) "Equus" (horse), so he is prompted to violence on the object of his truest love. In this Dysart reads a lesson: the futility of any attempt to convert profoundly rooted "mystic" instincts—even more tenacious than earthly appetites—into the usually mediocre and stultifying channels of the so-called normal citizen.

When the good and ever-so-earnest doctor cries out in anger and agony at the fact that he, who in his therapeutic task on Alan may be eliminating what is actually creative in the boy, is at the same time freezing his own best impulses, a good part of the audience applauds. The inference is that, once cured, that is, rid of his "divine" suffering, Alan will become a dullard like most normal people. Such applause is

an echo of the new cant: that the schizophrenic is closer to the truth of life than the ordinary citizen. But positing such an alternative is false. One need not be "crazy" to live untrammelled by conventional proscriptions. Most of the insane (I have seen them in hospitals) are in every way far more wretched and pitiful than the average man in his quiet despair or humdrum gloom.

As dramatized, I find the play's "philosophy" bogus. Dysart himself needs to be cured of his faulty reasoning. The playwright needs a more fitting "objective correlative" or story analogy for his defense of the irregular or anomalous person.

The production is superbly managed: John Dexter's direction is adroit in every respect and the acting thoroughly persuasive. Peter Firth (Alan Strang), marvelously right in type, plays with an intense sincerity which crushes all possible cavil. His future work will show whether what is now said in deserved praise of him is true. Anthony Hopkins, compact and sturdy in physique, displays that sweeping professionalism, resounding in elocution, heroic in energy, eloquent in rhetorical vigor which is the envy of so many American theatre folk and the admiration of our audiences.

Frances Sternhagen plays Mrs. Strang with a forthright and touching truthfulness. As the woman magistrate, Marian Seldes is more convincing in her firm delivery of her intellectual argument with Dysart than he is in his heated protest and plea. Michael Higgins too merits kind words in the ungrateful role of Alan's father. And Roberta Maxwell as the girl who doesn't get the boy is as sympathetic as she is attractive. □

MUSIC

DAVID HAMILTON

The operative word in the title of the New York Philharmonic's five-night "Mini-Festival Around Ives" was certainly "Around." In this season of centennial concerts—you could hardly walk into a concert hall during the birthday week without hearing the *Concord Sonata*—surrounding Ives's music with that of his European contemporaries and American successors was a welcome idea, if somewhat problematic from a historical point of view.

Problematic, because those European contemporaries are not known to have influenced Ives at all. As late as 1931, he could write that "I have never heard nor seen a note of Schoenberg's music." *Pierrot lunaire*, at least, had several times

been played in New York, but in the period before 1920, when Ives wrote the bulk of his music, Schoenberg scores were not readily accessible—let alone the works of Janáček, Bartók, Webern, Berg, even Stravinsky, all of whom were represented on the Philharmonic programs, if often by works postdating Ives's creative years.

No, the legitimate "historical" context for Ives would have been something else: the music of such figures as Horatio Parker, his teacher at Yale—the kind of music he did not want to write; the Central European classics, from his revered Beethoven on through Brahms, Wagner and Dvorák; bushels of American popular music and hymnody (worth playing today because that whole stratum of "context" is no longer part of the broad public consciousness; if young people know *Columbia, the Gem of the Ocean*, it is probably because they have heard it in the Ives Second Symphony!), and something of Debussy's piano music, rather than the 1916 Sonata for Flute, Viola and Harp that the "Mini-Festival" offered, because Debussy, whose piano writing casts a palpable and fruitful shadow over certain pages of *Concord*, is the one among those European revolutionary figures who must have made a difference to Ives.

Still, if this side of the "Mini-Festival" had more to do with the enthusiasms of Boulez and the available repertory of the Chamber Music Society of Lincoln Center (responsible for the sub-orchestral performances during the week) than with any tenable claims to historical continuity, it gave rise to some rewarding listening: several pieces from Janáček's *By an Overgrown Path*, touchingly played by Jerome Lowenthal; a tonally lustrous traversal of the Debussy Sonata, by Paula Robison, Walter Trampler and Heidi Lehwald; Schoenberg's Five Piano Pieces, Op. 23, shaped with great clarity and expressivity by Ursula Oppens (who later in the week joined André-Michel Schub, Richard Fitz and Gordon Gottlieb in Bartók's Sonata for Two Pianos and Percussion—an evidently dynamic and cohesive performance that, sadly, reached my particular vantage point under a damaging acoustical cloud); Stanley Drucker's incomparable reading of Stravinsky's Three Pieces for Clarinet; and those Boulez specialties, Webern's Orchestral Pieces, Op. 6, and Berg's *Altenberg Lieder* (with Maralin Niska a strong if not subtle soloist). Disappointingly, Stravinsky's *Soldier's Tale*, with almost the same ensemble of Philharmonic first-desk men that delighted us during last spring's Rug Concerts, came out limp as a sponge.

There was another phase, presenting

A NOTE FROM THE PUBLISHERS

An informal gathering to honor our Nation Associates will take place on Friday afternoon, November 15th, from 4:30 to 7, at The Players, 16 Gramercy Park South, in New York City.

We take this occasion to pay our long overdue respects to those especially loyal and generous supporters who, over the years, have been keeping THE NATION alive. We also want to welcome new Associates. And we want to give our editors, columnists, and some of our contributing writers the chance to meet the Associates and provide some animating talk on current trends and issues.

Although many of the out-of-town Nation Associates, scattered as they are throughout this country and Canada, cannot attend, we hope many others will be motivated to visit New York, to see old friends, attend concerts, theatre or museums—and to meet us.

We also extend our invitation to those readers who want to *become* Nation Associates. (The annual minimum membership is \$50, which includes one year of THE NATION.) They may join as they come to the reception at The Players club. Acceptance can be confirmed by phone or letter.

Linda and James Storrow

333 Sixth Avenue
New York, N.Y. 10014
(212) 242-8400

the music of "American composers, most of whom began to be very active when Ives practically stopped composing" (Boulez's phrase, from his little essay in the program booklet). Some of these people—notably Henry Cowell—were certainly aware of Ives, although again we often heard works that predated this awareness—such as, Varèse's *Offrandes*. Plainly, this "avant-garde" of the 1920s and 1930s is a phase of American music that intrigues Boulez, and one that has been widely ignored by its compatriots. (At the press conference last spring, when plans for the "Mini-Festival" were announced, it was amusing to hear Boulez, eyes sparkling, discourse on his pleasure at "discovering" the "remarkable" String Quartet of Ruth Crawford. That is one of the potential disadvantages of a foreign-born music director. The Crawford Quartet has hardly been a secret around here—but all credit to Boulez for rooting around in what to him is *terra incognita*.)

This facet of the programming was more limited, but we did hear the Composers Quartet playing that Crawford work, as brilliantly as ever; a crystalline performance of Varèse's *Offrandes*, with soprano Judith Blegen; and Copland's orchestration of his great Piano Variations, made nearly as granitic as the original by the precision of the playing and the steadiness of the direction.

And of course there was some Ives as well: a group of songs, the Fourth Violin Sonata, the Second Quartet, the Trio, *Tone Road No. 3*, the *Robert Browning Overture*, *Decoration Day*, and the Fourth Symphony—a well-chosen selection, avoiding the adverse reflections that certain juxtapositions can generate. One of my (numerous) reservations about Ives stems from his tendency to repeat certain patterns to a degree that suggests he was really writing the same piece several different ways: the *Holidays Symphony* (of which *Decoration Day* is one "movement") makes an unsatisfactory whole for this reason, and Boulez was wise to play just this single version of the Ives repose-chaos-repose piece. One wonders to what degree the "underground" nature of Ives's compositional activity is responsible for the repetition: was he uncertain about the success of these pieces that he never heard performed, and so kept on "rewriting" them?

Neither the flag-enfolded view of Ives as "the one man who established and transmitted the laws of American music" (Jonathan Cott in *The New York Times*) nor the dismissal of much of his work as "A lot of clever toying with music's externals for the pure hell of it" (Alan Rich in *New York*) sums it all up very

satisfactorily. There is a lot of redundancy in the Ives catalogue, partly because, for conscious or unconscious reasons, he often didn't finish pieces—at least in the sense that most composers do, with a view to making a definitive version for a specific performance. The bulk of such material has been increased by the industry of disciples and scholars working with the *Nachlass*—a necessary phase in our developing understanding, even if few of these works will eventually form part of the accepted repertory.

And a number of clearly "finished" pieces, of undoubted perfection, such as the touching song *The Pond* (beautifully sung by Rosalind Rees during a choral/vocal concert at Hunter College Playhouse during the Ives Festival Conference), are so slight as to be not-quite-pieces in the concert sense—another consequence of Ives's withdrawal from the conventional musical world: if you take the position that your music probably isn't going to be played, then you don't even think about such practicalities as programming. Although Ives could hardly have anticipated the possibility, recordings may be the best place for this aspect of his production; to stage-manage all sorts of disparate groups for a series of very brief works in concert focuses attention on the discrepancy between effort and effect, but on records all that visual confusion is banished.

Paradoxically, other Ives works have, in my experience, rarely generated their full force except in the flesh. At the opening concert of the Festival Conference, we heard the two piano sonatas, each played by its original interpreter—William Masselos and John Kirkpatrick. Each man has made two fine recordings of these pieces, yet only at this concert did I really sense the music's scope. The largeness of aspiration in *Concord* (the Second Sonata) is undeniable, and Mr. Kirkpatrick's deep understanding of its shape and content provided the centennial's most moving experience, a fitting climax to his decades of selfless dedication to work and composer.

The Fourth Symphony, at the final Philharmonic concert, produced a similar effect. The tumults of the second and fourth movements, so largely suggestive of the chaos of human activity, acquire eloquence from the visible participation of so many players, something that mere loudspeakers cannot convey. Too, the work is probably best heard in the company of a large and warmly appreciative audience, such as the "Mini-Festival" had acquired by the end of the week—a joyously diverse crowd, unified only by its desire to hear the music on that particular program (what a price we pay in

New York for the economic safety of the subscription audience!).

We don't, after all, have to hand down a centennial judgment on Ives, one way or the other. His music is in circulation now, and the important thing is to listen to it, sort it out, find appropriate circumstances for it. The best of it is impossible to circumnavigate, but indiscriminate reverence would be as repulsive to Ives himself as was total rejection. □

FILMS

ROBERT HATCH

Like Fellini, but more amiably, I think, Luis Buñuel seems now to be indulging an old man's fancy for balancing eels on his nose. He has always been given to mystifications (away back in 1930 he made *L'Age d'Or* in collaboration with Salvador Dalí), but in the case of his latest, *Le Fantôme de la Liberté*, I cannot by any consistent logic relate the several episodes to the title or to one another. Linkage is provided by the device that toward the end of each vignette a person appears who is to be the central figure in the next chapter, but the connection is entirely fortuitous. For example, a policeman who has been reprimanded by his superior for maculate footwear is seen leaving a boot-black; the camera then moves to the patron who had been sitting next to him on the stand, a young man who is about to begin a campaign of random assassination from a high window in Montparnasse-Bienvenue. It may be that the film is in cipher, which could be decoded if one had access to Buñuel's memory track, but copies of that tape are not available.

In this predicament, the most helpful comment I have read on the film comes from Jean de Baroncelli, writing in *Le Monde* (I quote from the English translation carried by *The Guardian*): "The jokes, enchantments and pangs of anguish are there to remind us that we live in a confused and illusory world; that reality hides behind false fronts; that order, logic and the myriad moral, social and emotional codes which govern our behavior are nothing more than conventions and phantasmagoria; that we're conditioned like Pavlov's dogs, programmed like computers." If that is Buñuel's view, I'm far from sure that it is a sufficient analysis of the human condition, nor can I make it apply to all his episodes. Nevertheless, it is a start. To wit:

A bourgeois couple is entertaining friends, the social convention being for them all to sit on toilets around a table

and move their bowels, while discussing with animation the proper disposal of human excrement. When a guest excuses himself, it is to ask the maid in an undertone the way to the dining room, where in prudish solitude he wolfs down a steak and wine dinner. I got the point of that well enough, since it had occurred to me a good many years ago that eating and excreting are aspects of a single function, and that convention in large part determines what phase of it we deem socially acceptable. However, a little thought will suggest that there is more to the discrimination than arbitrary convention (as whether one indicates assent by bobbing one's head or shaking it) and the following somewhat related episode seems to me more cogent:

A little schoolgirl is shown some postcards by a furtive man, who then slips the pack into her pocket. Arriving home, she tosses the cards to her mother, who is properly indignant, but then, when going over them with her husband, becomes overtly aroused. The camera swings and we see the views: the Eiffel Tower, the Arc de Triomphe, the Sacré-Coeur, etc. One can conceive of a society in which bad monuments or monuments to shabby achievements might be felt as obscene, though it is hard to work the lascivious wriggles of the couple into this mirror trickery, since they are not themselves examples of architecture. If the Parthenon were seen to respond with guilty fascination to a photograph of the Guggenheim Museum the parallel might be more exact.

Another passage that deals more simply with the revolt against conditioning concerns a man who learns from his doctor—after a great deal of technical jargon and brusque cheerfulness on the part of the latter—that he has an incurable cancer. Instead of cringing appropriately at the news, he swats the doctor across his self-protective face and strides from the room. I liked also the police hunt for a kidnapped child, made easier by the fact that soon after the dragnet is cast, the child is returned to her parents and can be examined by the authorities for purposes of future identification. That is, the wheels of bureaucracy will not be denied their run.

But I don't understand at all the odd adventure of the police chief who receives a phone call from his dead sister, summoning him to the family mausoleum; or why an old woman should allow her young nephew to have his way with her after he, but not she, has witnessed a scene of masochism in the presence of a group of poker-playing monks; or what the unseen mob is that cries "Down with liberty" in the zoo at the end of the film.

The disdainful ostrich shown close up in that passage is said to stand for Buñuel himself, and I can't deny it.

That cry against liberty echoes the opening scene wherein, drawing upon Goya, the film shows a group of Spaniards dying in Toledo under the guns of a Napoleonic firing squad. They repudiate, obviously, the "liberty" of Bonaparte. Thus the film comes full circle at the end, even if one cannot trace its revolution with any confidence. Passage by passage, it is good to look at; I mean that literally—the people, the scenes, the movement are a pleasure to the eyes and raise vivid expectations which they do not always trouble to satisfy. Thus I felt rewarded for the time spent, if somewhat estranged by the suspicion that I was being asked to play a game of make-believe by a man who was inventing the rules as he went along. □

ART

LAWRENCE ALLOWAY

A large painting by Arakawa, 20 feet long, is on view at Ronald Feldman Fine Arts, Inc. (until November 16). On a field of paint that starts on the left as battleship gray and gradually shifts on the right to the color of wet sand, there is a quotation from David Hume. The inscription, in neatly stenciled capital letters, has to do with memory, as the title of the picture suggests: "A Forgettance (Exhaustion exhumed)." The pun on Hume-exhumed is intentional. Attached to the center of the painting is a red plastic triangle, which reflects the space in front of the picture, in glowering contrast to the dense absorbent paste of the paint. And on the left and right sides of the picture are the halves of two triangles of similar size and angle. Their repetition, and their division by the picture edge, suggest a potential circular form for the painting, as if it could be curved until the left and right edges latched together.

The letters of the inscription change against the graduated background and the words are obscured, not only by the triangle, in which the spectator will find his reflection, but by a weathered plank stuck on the canvas. From the description thus far it is clear, is it not, that Arakawa is concerned with the interpenetration of visual and verbal signs. The all-at-once spatiality of painting is delayed by the linear structure of a long sentence; on the other hand, the potential circularity of the picture sur-

face suggests visual unity. Or to put it the other way round, the temporal sequence of the words is interrupted by visual episodes, such as conspicuous paint, flashes of color and the play of angled shapes. Quotation and composition are paradoxically entangled, so that both the pictorial and the verbal components act as "noise," interfering with a pure reading of the picture's elements in separation. The spectator is therefore invited to take in pictorial and referential terms simultaneously.

Coincident with the unveiling of this new painting, there are shows of Arakawa's prints at the Museum of Modern Art and at Multiples. It is customary and indeed natural for commercial galleries to show their artists at times when they are having museum exhibitions. This situation has been simplified by the present push for prints. At

Book Publishing

Manuscripts invited for prompt review and terms of publication. All subjects. Professional editing, design, production and marketing since 1920. Send inquiry or manuscript, or call (215) 563-3553. Ask for free *Authors' Guide B-25*.
DORRANCE & COMPANY
1617 J.F. Kennedy Blvd. Philadelphia, Pa. 19103

THE NATION'S BEST PUZZLES

by Frank Lewis
Unique collection of wit-warpers of Books 1, 2 and 3.

Send \$4.25 (postage prepaid) to:
E. S. Lewis
25 Hubinger Street
New Haven, Conn. 06511

NATION NATION NATION

SUBSCRIBE NOW

Special Introductory Offer — 20 Issues for only \$5

The NATION, 333 Sixth Ave. 11-16-74
New York, N. Y. 10014

Name _____

Address _____

City _____

State _____ Zip _____

PREVENTING THE DEATH OF THE BRAIN

Breathe.

Breathe.

It is the body's angry imperative.

It is the first commandment.

Otherwise they will fade:

the snowy sandstone of Mt. Invermere

the mountain bluebells

the screaming iridescent birds.

Otherwise they will go out.

You must breathe to keep them whole:

you must breathe to outpace your heart.

Fitted to the face is a transparent plastic mask.

Be careful not to twist the plastic tubing:

otherwise the oxygen will not flow.

otherwise the world will blacken and go out.

Clear odorless non-toxic

semi-soft resilient anatomically crafted to fit

most facial contours:

103 liters of oxygen

a precious green tank like a fire extinguisher

no one knows how to operate.

Gradually the brain responds, the eyeballs steady.

Gradually the trembling organism takes hold.

Oxygen is tasteless; there is no taste

but a brackish-dark puddle at the rear of the mouth.

A shadow that someday must be swallowed whole.

Emergencies are for strangers?

Yes.

And you are estranged from yourself,

now breathing and grateful and alive.

Emergencies are savage poems that elude the rhythms

we have devised.

Joyce Carol Oates

the museum and at Multiples you can see the *same* show by Arakawa, a set of prints entitled "No!" says the Signified" and other recent pieces. In fact, Multiples has an edge on the museum because its show includes earlier Arakawa prints as well. Since the painting at the Feldman gallery is part of a series begun in 1963, called "The Mechanism of Meaning," this reminder of earlier pieces from the series is appropriate.

"The Mechanism of Meaning" is an encyclopedic survey of knowledge in its evasive and problematic aspects. Characteristic themes include "Presentation of Ambiguous Zones" and "irony, ambiguity, paradox, concrete abstraction, humor, hypnotic illustration, etc." The program began in the form of paintings, but is extensible to other areas, such as *For Example*, a feature-length

movie of 1971. The script, available from the Alessandra Castelli Press (\$8), is by Madeline Gins who works with Arakawa: their collaboration seems total and the intricate verbalization of the paintings is reminiscent of her prose (see her *Word Rain*; Grossman, 1971).

The verbal content of Arakawa's paintings, though unique in scope and configuration, coincides with a revived interest on the part of artists in words as subject matter. On a short-term basis this may have been caused by fatigue at their exclusion from Abstract painting in the interest of pure visuality. On a longer term, however, it is worth remembering that, as Meyer Schapiro has pointed out, "a great part of visual art in Europe from late antiquity to the 18th century represents subjects taken from a written text." This resource is surely not to be reduced by the no-

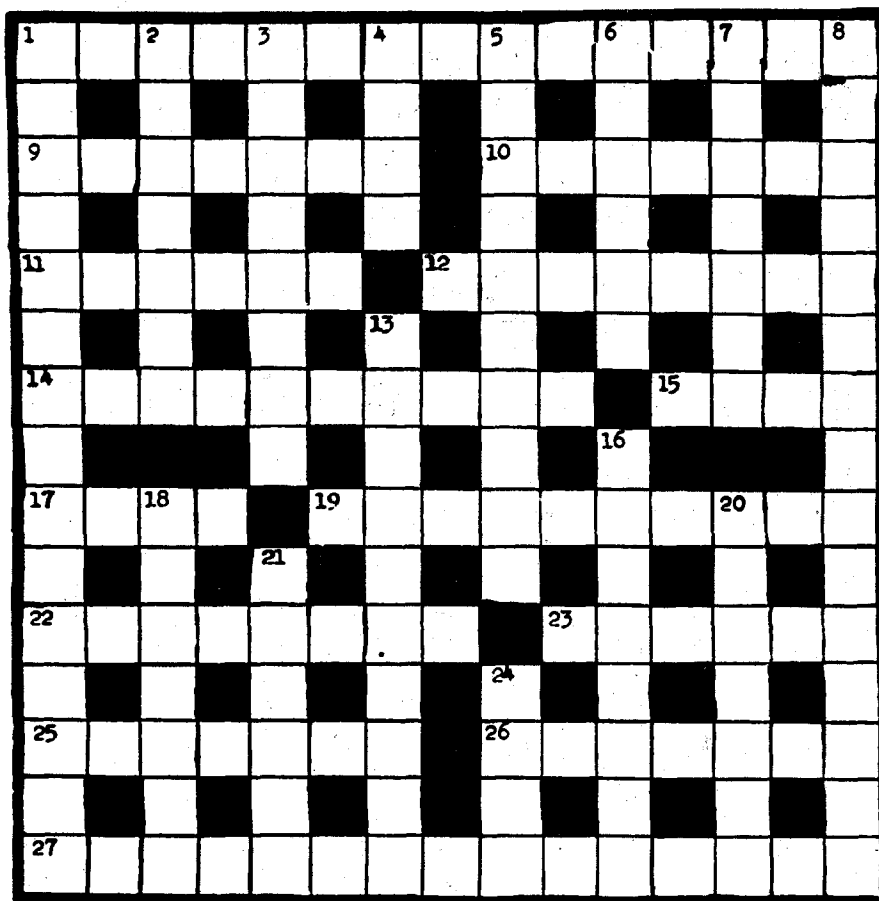
tion that the correspondences of words and pictures have been outpaced historically. A crude evolutionary view of this sort is inadequate to the synchronic richness of culture. The fact is that verbal language is a particularly flexible and capacious form of communication, whether it functions in relation to art as index (the Bible as source) or as quoted matter (Hume's text).

Arakawa, like Jasper Johns and other artists who spell out words, does not celebrate language's adaptive and referential power. To quote again the title of his recent prints, "No!" says the Signified," in which he imagines the signified, that which a sign points to, rejecting identification. Arakawa and Gins act as bizarre alumni of the classical schools of rhetoric, aiming at perplexity not persuasion. Do contradictory instructions make new entities? Do words, numbed by rainbow colors, signify the same things as the same words on the neutral ground of a page? One alternative to overextended Abstract art at present is Realism, an art based on perception as individual certainty; another alternative is art like Arakawa's in which sign systems are used to generate uncertainty in principle.

In conclusion: my predecessor on *The Nation*, Max Kozloff, would prohibit art critics from writing about their friends. He thinks there is a spectrum of compromise which runs from nepotism to cronyism, ranging in intensity from the flagrant to the merely subtly corrosive. Let us consider what is involved in this, at first sight laudable, criticism of our practice. There are two kinds of art critic: exhibition reviewers, who see the work in the gallery, and only there; and critics whose interest in art leads them to contacts in excess of visiting exhibitions. Writers in the latter class have information to give about the intentions of artists and they know the larger range of works from which the highly selected form of any exhibition is drawn. The former exaggerates the value of the gallery, but I for one would rather exaggerate the role of artists than dealers. In any case, should critics really write only about strangers? For most critics their work, writing about art, is not separate from their leisure, as it includes contact with artists. All this is a prelude to saying that Arakawa is the subject of a monograph which I wrote in 1971 (published in Germany). Certainly in my own case I cannot separate what I write from the rest of my life, which is Kozloff's demand. Once again it is proposed that art and life be separated; the morality of Kozloff is, therefore, ultimately aestheticizing. □

Crossword Puzzle No. 1560

FRANK W. LEWIS



ACROSS

- 1 One way for a writer to make his point! (6,9)
- 9 Vacation canceled—though things might be slack if you do. (4,3)
- 10 In Haifa, Irgun snipers had them, obviously. (7)
- 11 A little way to go on wheels, or take a walk. (6)
- 12 Evidently a writer to boot—it's fantastic! (8)
- 14 Bill at one time found teacher might, after absence. (6,4)
- 15 It might hold fluid in fancy style! (4)
- 17 Just a single reed found in the woods. (4)
- 19 Shooting star of the future here, hopefully? (6,4)
- 22 Apt saying, alternatively something unctuous, but many change it regularly. (5,3)
- 23 A challenge given for the speed contest? Not necessarily sour grapes! (6)
- 25 What belongs to me is found in a form of one, though perhaps put up. (7)
- 26 Where a boat might signal 23? (7)
- 27 It's wonderful out west—you can get to holler "owl!" and note the sound in a flash! (11,4)

DOWN

- 1 Your suit may be at the cleaners, when hard up. (7,3,5)
- 2 Only pluck left for the player with such treatment? (7)

- 3 Disturbing ruling on what might be a life preserver. (4,4)
- 4 One isn't called out like this! (4)
- 5 It might be a form of locust, but it's a hundred to a hundred and one it takes a big plant! (6,4)
- 6 Through what the flapper might have played, it covered the top at one time. (6)
- 7 Full of improper ciphers? (7)
- 8 Early get-up implied, especially get-up associated with a frolic. (4,4,3,4)
- 13 On the surface, they should be writers of a sort. (10)
- 16 One way to catch a gentleman, losing a thousand in the process. (8)
- 18 It's most desirable! (7)
- 20 Upsetting the treacle could be a tragedy! (7)
- 21 Right away we've borrowed it from our neighbors! (6)
- 24 Constellation is also the name of a famous ship. (4)

SOLUTION TO PUZZLE NO. 1559

ACROSS: 1 Addis Ababa; 6 Stab; 10 Improve; 11 Partner; 12 Elsa; 13 Admiration; 15 Notched; 16 Trudeau; 17 Knitted; 20 Skeptic; 22 Charlatans; 23 Emma; 25 Iciness; 26 Threats; 27 Glee; 28 Usurpation.
DOWN: 1 Alive and kicking; 2 Deposit; 3 Spot; 4 Blended; 5 Baptist; 7 Tontine; 8 Baron Munchausen; 9 Creatures; 14 White lies; 18 Imagine; 19 Detests; 20 Senator; 21 Tympani; 24 Proa.

SCHOOLS

LEARN SPANISH. If you really want to learn Spanish quickly, fluently and correctly, and if you have the courage and stamina for intensive and disciplined study, then come for at least a month to CIDOC in Cuernavaca. One-time registration fee \$100. Weekly tuition \$50. Participation in other CIDOC events \$3 weekly. For complete catalog, write CIDOC, APDO 479, Cuernavaca, Mexico.

TRAVEL

PARTICIPATE IN PEACE SEMINAR to Soviet Union—Moscow, Leningrad, Odessa. Institutional conferences, people contacts. Limited places for university students and young workers. Two weeks leaving December 29. Write Promoting Enduring Peace, Box 103, Woodmont, Connecticut 06460.

MUSIC

FREE 200-PAGE CATALOG. 1,400 New Stereo Recordings. Renaissance, Baroque, Classical, Romantic, Modern Music. Not sold in stores. Not listed in Schwann's. Highest quality! Budget label prices! Available only by mail. **MUSICAL HERITAGE SOCIETY**, Box 932 NA, New York, N.Y. 10023.

FREE RECORD CATALOG—"Many out of Print LP's"—Operas, Classical, Early Jazz/Blues Shows; soundtracks and nostalgia. **TREASURY HOUSE**, Dept. N. P.O. Box 165 Bay Station, Brooklyn, N. Y. 11235.

REAL ESTATE

WILD flowers, the poetic setting, running brooks, spectacular views, farms, acreage, country houses, Berkshire and Columbia county, write your requirements. We'll find it, then call you! **Beach Realty**, Box 45, Austerlitz, New York 12017.

PERSONALS

HONORARY DEGREES. Doctor of Divinity Free to every Minister we ordain. Free details. Complete professional package \$25 donation to Church of Universal Brotherhood. Satisfaction assured. Dept. N—Nov. 16, 6311 Yucca, Hollywood, Ca. 90028.

"BECOME A FINANCIER"—Part time, full time. Money Brokers earn big fees. No experience or capital required. Write for FREE information today. **R. Rowtham**, Suite 107, Box 829, Columbia, Maryland 21044.

COUPLE want job as caretakers. Man, familiar with organic gardening, farming and livestock. Wife, experienced office worker. 415-848-4273.

GOLFERS, cut your strokes! Pocket size range finder gives distance from ball to hole. Guaranteed. \$7.95. Cope, 600 Mooney Rd., Chesapeake, Virginia 23325.

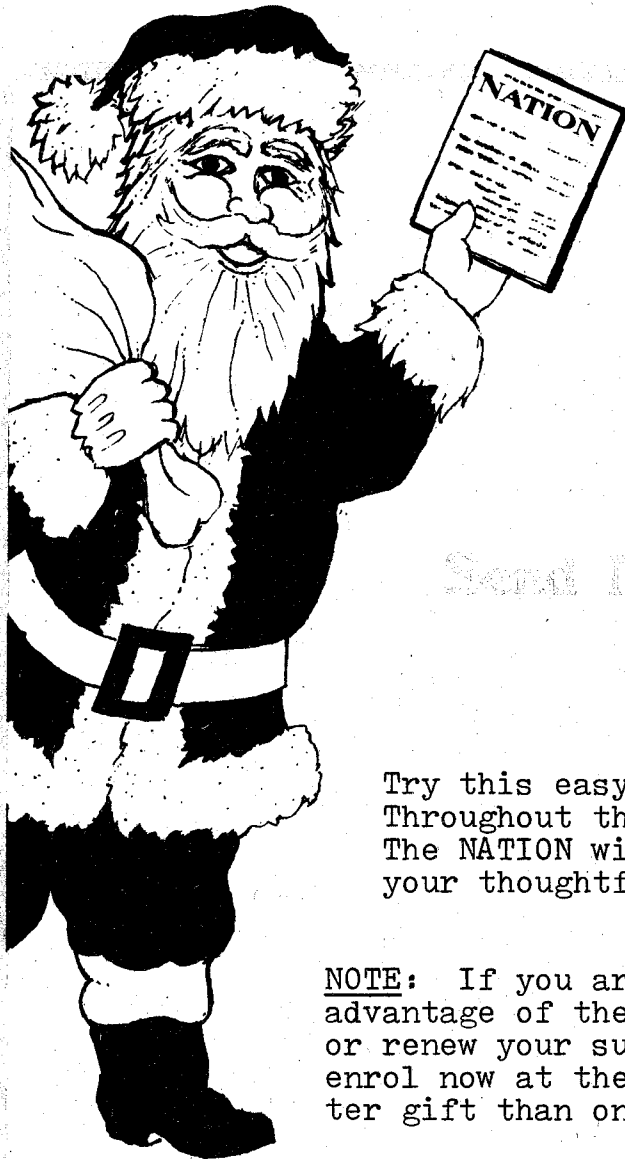
SERVICES

QUICK (BUT CAREFUL) MOVERS. Household or commercial. Realistic estimates. Reasonable rates. Insured. No job too small. (212) 673-5341.

MOVING? Professional moving at competitive rates. Anytime, anywhere. Licensed, insured, experienced. **THE COVERED WAGON**, Algonquin 5-1788 (N.Y.C.)

ADVERTISING RATES

Classified: \$1.48 a line (6 words) 3 line min.
Classified Display: \$14.84 per inch (min.)
THE NATION, 333 Sixth Ave., N.Y.C. 10014
242-8400



**You can fight crowds,
and stand on line,
and pay too much,
and get the wrong size,
and worry about delivery,
OR**

**Send NATION gift subscriptions
at \$12.50 each**

Try this easy way of solving your gift problems. Throughout the year, the weekly arrival of The NATION will remind friends and relatives of your thoughtfulness.

NOTE: If you are already a subscriber, you may take advantage of these Special Holiday Rates to extend or renew your subscription now; if you are not, enrol now at these Special Holiday Rates. What better gift than one from you to you?

SEND ONE-YEAR GIFT SUBSCRIPTIONS TO:

NATION
333 Sixth Ave., New York, N.Y. 10014

Name _____	Name _____
Address _____	Address _____
City _____ State _____ Zip _____	City _____ State _____ Zip _____
Send gift card signed _____	Send gift card signed _____

**YOUR
NAME
HERE
(Donor)**

Name _____
Address _____
City _____ State _____ Zip _____
\$ _____ enclosed

This
offer
good
up to
Jan. 1, 1975

X 11-16-74